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MINUTES OF THE SUPREME COURT OF THE UNITED STATES

Roll 4

Volumes M-P

January 25, 1848 - January 19, 1855

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NOTES ON ROLL 4

The four volumes reproduced on this roll have the following backstrip titles: (1) "Minutes / Supreme Court / U. S. / M / Jan. 25, 1848 / to / April 16, 1850"; (2) "Minutes / Supreme Court / U. S. / N / Apr. 17, 1850 / to / Dec. 24, 1851"; (3) "Minutes / Supreme Court / U. S. / O / Dec. 29, 1851 / to / Feb. 28, 1853"; and (4) "Minutes / Supreme Court / U. S. / P / March 1, 1853 / to / Jan. 19, 1855." They contain the minutes of the Supreme Court of the United States from January 25, 1848, to January 19, 1855.

The first volume contains the minutes of the Court from January 25, 1848, to April 16, 1850; the second, from April 17, 1850, to December 24, 1851; the third, from December 29, 1851, to February 28, 1853; and the fourth, from March 1, 1853, to January 19, 1855.

VOLUME

M

pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	Samuel Nelson	Associate
	Levi Woodbury	Justices
	Robert C. Grier	

Alexander Hunter Esquire, Marshal

William Thomas Carroll, Clerk

proclamation being made the Court is opened

195.	Mary Ann Van Ness plffin &c v. Cornelius P. Van Ness admr of John P. Van Ness dec'd	In error to the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington, and was argued by Counsel. On consideration whereof

It is now ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

per Mr Ch: Jus: Taney

Rebecca Helm, James Lane and wife Squire Lane, Conrad Waters and his wife, heirs of John Lane dec^d Appellants

264. vs

Sarah P. Campbell, & Wm P. M. Campbell Executors of Philip Phillips dec^d and James Reily and Eleanor his wife, Elisha Williams and John Childress and Sally his wife formerly Sally Williams, Ira Williams, Henry Williams and Elisha Williams, Children and heirs at law of Mary Williams dec^d formerly Mary Phillips and late the wife of said Elisha Williams and Joseph Phillips, heirs at law of said Phillip Phillips, dec^d except the said Executors.

On appeal from the Circuit Court of the United States for the Middle District of Tennessee

Mr Thomas of Counsel for the appellees having filed and read in open Court the following certificate, to wit:

Circuit Court of the United States for Middle Tennessee District

Sept Term 1846

Rebecca Helm, James Lane and wife Agnes Lane Conrad Waters and his wife heirs of John Lane decd Citizens of the State of Kentucky Complts

against

Sarah R. Campbell & Wm L M. Campbell Executors of Philip Phillips decd and James Neely and Eleanor his wife Elisha Williams and John Childress and Sally his wife formerly Sally Williams, Jno Williams, Henry Williams and Elisha Williams Citizens and heirs at law of Mary Williams decd formerly Mary Phillips and late the wife of said Elisha Williams and Joseph Phillips all Citizens of Tennessee and all except the said Executors of Phillip Phillips, heirs at law of said Phillip Phillips decd

I, Jacob McGavock Clerk of the Circuit Court of the United States for the District of Middle Tennessee, do hereby certify, that the said Complainants about the 25th day of Sept 1846 obtained from the Hon Jno Catron one of the Associate Justices of the Supreme Court of the United States, an appeal to remove into said Supreme Court sitting at Washington the said cause, decided in favor of

the defendants by said Circuit Court on the 28th day of Sept 1841

In Testimony whereof, I hereunto set my hand and affix the Seal of said Court at office in Nashville this 22d day of February A.D. and of the Independence of the United States the

Seal

/s/ Jacob McGavock Clk"

and having stated that the Appellants had altogether omitted to file the record of said cause in this Court, or in any way to prosecute said appeal - now here moved the Court in pursuance of the 23d rule of this Court to have this appeal docketed and dismissed - On consideration whereof, It is now here ordered and decreed by this Court that this appeal from the Circuit Court of the United States for the Middle District of Tennessee be and the same is hereby docketed and dismissed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

pr Mr. Ch. Just. Taney

Rufus Choate, Esq. in be of Luther S. Cushing, Esq.	The argument of the co and continued by Mr. C bill for the plaintiffs in e
Rufus Choate, Esq. vs. Luther S. Cushing, Esq.	The argument of the co and continued by Mr. C bill for the plaintiffs in e

Motion to dismiss the bill in equity

Wednesday January 2nd 1850

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	James Dalton	absent
	Levi Woodbury &	Justices.
	Robert C. Grier	

Alexander Hunter Esquire, Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Clifford - It is ordered that Charles O'Brien Esquire of New York be admitted to practice as an Attorney & Counsellor of this Court on his producing a certificate

On motion first made to the Court in this behalf by Mr Nelson It is ordered that D. B. Fearon Esquire of Ohio be admitted to practice as an Attorney and Counsellor of this Court on

Term 1847 Continued

Thomas F. Hoey admr of C. F. Lee deceased (Deft in Error) vs. Lewis Sollee	In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record of the Circuit Court of the United States for the District of Louisiana and was argued by Counsel — On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice and in conformity to the opinion of this Court.

Per Mr. Justice Daniel

Ordered by the Justice & Clerk to be entered

Lewis Sollee — (Deft in Error) vs. Thomas F. Hoey admr of C. F. Lee deceased (Plff in Error)	This cause came on to be heard on the transcript of the record of the Circuit Court of the United States for the District of Louisiana and was argued by Counsel

99	Forbes Luther Complt vs Luther & Gordon & al	The argument of this cause was continued by Mr Whipple for the defendants:

Proclamation being made the Court is adjourned until tomorrow morning at Ten o'Clock

[illegible] to adjournment the Court met this morning at the usual hour

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	[illegible]	[illegible]
	[illegible]	[illegible]
	[illegible]	
	Robert C. Grier	

Alexander Hunter Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

Curtis Luther pltff in Err[or]	The argument of this cause was
vs	continued by Mr Webster for the
Luther M. Borden et al	defendants in Error.
Curtis Luther Compl[ain]t	The argument of this cause was
vs	continued by Mr. Webster for the
Luther M. Borden et al	defendants

Proclamation being made the Court is adjourned until to-morrow morning at eleven O'clock

pursuant to adjournment the Court met this morning at the Capitol —

Present

	Hon. [illegible] Esqr	Chief Justice
	John McLean	
	[illegible]	Associate
	Samuel Nelson	Justices
	Levi Woodbury &	
	Robert C. Grier	

Hon. [illegible] Esqr Attorney

William Thomas Carroll, Clerk

[illegible]

On motion first made to the Court on the [illegible] by Mr Stanbery & on motion that Com. Robt. Eglin of the County of Columbia be admitted to practice as an Attorney & Counsellor of this Court & he was accordingly admitted

Martin Luther, Jeffries & al	Argument of the case was continued by Mr Chilton for the Plaintiff in Error
44. Luther Vs. Borden & al	

[illegible]	[illegible]

[illegible]	[illegible]

[illegible]

[illegible]	[illegible]

[illegible]

pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	[illegible]	
	[illegible]	
	Levi Woodbury &	
	Robert C. Grier.	

Alexander Hamilton Esquire, Marshal
William Thomas Carroll, Clerk.

proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Webster It is ordered that Richard T. Jones Esquire of Baltimore City be admitted to practice as an Attorney and Counsellor of the Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible] It is ordered that James Campbell Esquire of Lancaster be admitted to practice as

... Attorney and Counsel of this Court and it not ...

... Court of the State of ... the Seal of ...

... Writ of Error ... and ... Chief Justice of the Supreme ... and Chancellor of the County of ... Windsor

This cause came on ... to be heard on the ... copy of the record from the Supreme Court of ... erature of the State of Vermont, and was argued ... by Counsel. On consideration whereof, It is now ... ordered and adjudged by this Court that the ... judgment of the said Supreme Court in this cause ... be and the same is hereby affirmed with costs

Per Mr. Justice Daniel

... Writ of Error ... and ... Chief Justice of the Supreme ... of the County of Windsor and the Assistant Judges of Windsor and ... Chief Justice Van Buren and Thomas ... Chancellor

... Court of the State ... of Vermont, and the ... Judges of the first Judicial ... Circuit of the said State ... of Vermont.

This cause ... came on to be heard on the transcript of the

record from the Supreme Court of Judicature of the of the State of Vermont and the Chancellor of the first Judicial Circuit of the said State of Vermont, and was argued by Counsel on the part of the Plaintiff in Error and on the part of the Defendant in Error, It is therefore ordered and adjudged by this Court that the judgment of the said Supreme Court of Judicature and Chancellor of the first Judicial Circuit of the State of Vermont in this cause, be and the same is hereby affirmed with costs

per Mr. Justice Catron

180	William L. Brown plff in Er. vs. John Y. Mason, Secretary of the Navy U. S.	This cause came on to be heard on the transcript of the record from the Circuit Court for the District of Connecticut and was argued by Counsel on the part of the Plaintiff in Error and on the part of the Defendant in Error, on consideration whereof, it is ordered by this Court that the same be dismissed at the plaintiffs costs
81.	William L. Brown plff in Er. vs. Wells Coffin	This cause came on to be heard on the transcript of the record from the Circuit Court for the District of Connecticut and was argued by Counsel on the part of the Plaintiff in Error and on the part of the Defendant in Error, on consideration whereof, it is ordered by this Court that the same be dismissed at the plaintiffs costs

[illegible]	This cause was submitted to the Court on the written arguments of Mr Wirt for the appellant and by the Attorney General for the appellee
John Lyle & Co Plaintiffs in Error vs John H. Ware & al Defendants	This cause was submitted to the Court on the written and printed arguments of the Attorney General for the Plaintiffs in Error, and by Mr Adams & Sedden for the defendants
Robert & Isaac [illegible] Plaintiffs in Error vs [illegible] Defendants	This cause was submitted to the Court on the written and printed arguments of the Attorney General [illegible]
The Bank of [illegible] Plaintiffs in Error vs John F. Conrad	This cause was submitted to the Court on the written and printed arguments of [illegible] for the Plaintiffs in Error and by Swann & Hunting for the defendant [illegible]

21.	Wanton Lott of Phila. plff in Er. vs. Thomas P. Sharp & al	The argument of this cause was commenced by Mr. Wharton for the plaintiffs in Error
22.	Baldwin, Fair & Bixby, plff in Er. vs. James Payne & al.	The argument of this cause was commenced by Mr. Wharton for the plaintiffs in Error

Proclamation being made the Court is adjourned until to-morrow morning at 10 o'clock.

[illegible]

[illegible]	[illegible]	Chief Justice
	[illegible]	
	[illegible]	
	[illegible]	[illegible]
	[illegible]	[illegible]
	[illegible]	
	[illegible]	

Alexander Hunter Esquire, Marshal
William Thomas Carroll, Clerk

[illegible]

[illegible]	[illegible]
[illegible] pltff [illegible]	continued by Mr Wharton for
[illegible]	the plaintiff. no one [illegible] to
	Messrs Coleman & Colston for
	the defendants in error.

[illegible]	In argument of this cause
[illegible] pltff [illegible]	[illegible]
[illegible]	[illegible]

and by Mess[rs] Coleman & Gilpin for the defendants in Er.

John Ex'or, &c. Pl'ff in Er. vs. John H. Hand & al	This cause was submitted to the Court on the record and printed argument by Mr Gibbs for the Pl'ff in error.
120	
[illegible] vs. Pl'ff in Er. [illegible] of the Navy U. S.	[illegible] to the Court on the record [illegible] by Mess[rs] Gibbs & Jones for the Plaintiff in Error.
178	

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the Court met this morning
at the Capitol

Present

The Hon. the	Hon. R. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Levi Woodbury	
	John C. Grier	

Alexander Hamilton Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

	The last Term of the proceedings	The argument of the
31.	were read	cause was continued
	Samuel L. Sharpless et al	by Mr Webster for the
		plaintiffs in Error and
	by Mr Sergeant for the plaintiffs in Error	

Friday January 14 1848

pursuant to adjournment the Court met [illegible]
at the Capitol

Present

The Honorable	Roger B. Taney -	Chief Justice
	[illegible]	
	James M. Wayne	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	[illegible]	
	Robert C. Grier	

Alexander Hunter Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

[illegible] presented to the Court on the motion of Mr Stanbery & it appearing that S. H. Scott Esquire of Ohio be admitted to practice as an attorney & counsellor of this Court he was [illegible] by.

[illegible]	[illegible]
[illegible]	of Counsel for the defendants in Error. It is ordered by the Court that the Clerk of this Court do [illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]

[illegible]	Argument of the case
Case of Fourniquet & al.	commenced by Mr. Fendall

in support of the same continued by Messrs. Mason & Coe in opposition thereto and concluded by Mr. Fendall in favor of the motion

Proclamation being made the Court is adjourned until Tuesday morning at Nine O'Clock

Present &c

In Vacation	Roger B. Taney	Chief Justice
	John McLean	
	Joseph Story	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Alexander Hamilton Esquire, Marshal

William Thomas Carroll Clerk

Solicitor Gen being made the Court is opened

The Marshal returns that he has duly served the writ of Error upon Hugh McNeil one of the owners of the Schooner Fal-

and upon Hugh Boyle Esquire one of the Counsel for the defendants having failed to appear on the motion of the death of Peter V. Daniel one of the assistant Justices since the last ad-

--journment of the Court, now here moved the Court

Jan. Circuit Court for Cook County

for leave to make further parties. On consideration whereof it is ordered by the Court that the leave prayed for be and the same is hereby granted, and that this cause be and the same is hereby continued to the next term of this Court

Thos. Cook & Co. vs. Wm. Ogden & Co.	The argument of the case was commenced by Mr. Cook for the plaintiffs in error & continued by Mr. Goodrich for the defendants in error.
Abraham Colby vs. Lewis Lewis	The argument of the case was commenced by Mr. Walker for the plaintiff in error & continued by Mr. Goodrich for the defendant in error.

Whereupon the Court adjourned until tomorrow morning at Eleven O'Clock.

pursuant to adjournment the Court met the minutes of the last

Present

The Honorable	Hugh L. Taylor	Chief Justice
	John Scott	
	James D. Maupin	
	John Sullivan	Associate
	John B. Daniel	Justices
	Samuel Pleasants	
	Levi Hawkins	
	John A. Cox	

Thomas Bowles Esquire Attorney
William [illegible] Esquire Clerk

proclamation being made the Court is opened

On motion ordered that the Court adjourn to the Town of Petersburg & that Notice of the same be published in the Petersburg Intelligencer & Republican for three weeks successively

Whereupon the Judgment of this Court was continued [illegible] by Mr Goodrich for the defendants [illegible] the Court

5412 Tuesday February 8th 1825 Continued

	Thomas Corby &c. Pltf in Er.	The argument of the cause
68.	James Sadlier	was continued by Mr Dorrick for the defendant in error
	William Hamilton &c. Pltf in Er.	The argument of this cause was commenced by Mr Sandes
111	The Bank of the United States	Counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock.

[illegible]

Present

The Honorable	John Taney	Chief Justice
	John Buchanan	
	James D. Wayne	
	[illegible]	[illegible]
	Elias B. Caldwell	Justices
	[illegible]	
	Jno. Cranch	
	Robert J. Brent	

Alexander Hunter Esquire, Marshal
Wm. Thomas Carroll Clerk

Prayer by the Rev. Mr. Being made the Court is opened.

On motion ordered that Mr. Wirt be admitted to practice as Attorney and Counsellor of this Court and that Mr. Emmet be admitted to practice as Counsellor of this Court

Wednesday January 21st 1818

[illegible] of the Court [illegible] the
[illegible] Court [illegible] the case
of this Court entered in this
case on a prior day of this Term [illegible] 21st ultimo
by reason of the [illegible] thereof. It is now here ordered by this Court that
the said decree be and the same is hereby [illegible]
& order the following [illegible] and that the time of re-
cognition be extended [illegible] months from & after the
filing of the Mandate of this Court in this case in the
Court below.

[illegible] the argument of this cause not
continued by Mr. Peverly Johnson
for the Plaintiffs in Error and
by Mr. Sergeant for the De-
fendant in Error.

Proclamation being made the Court adjourned
until tomorrow morning at [illegible] o'clock

[illegible]

[illegible]

[illegible]

Friday January 11th 1839 Continued

On motion first made to the Court in this behalf by Mr Conrad & ordered that John A. Corwin Esquire of Ohio be admitted to practice as an Attorney and Counsellor of this Court and he was accordingly sworn

William Smith was placed at the request of Plaintiff in error

vs

The City Bank of New Orleans

and continued by Mr Sargeant for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'Clock

Friday January 1st 1847

pursuant to adjournment the Court met this ... at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	[illegible]	[illegible]
	[illegible]	[illegible]
	Levi Woodbury	
	Robert C. Grier	

Alexander Hunter Boone, Marshal.
William Thomas Carroll Clerk

Proclamation being made the Court is opened

Robert Marshall - Appt vs Jason L Holt	The argument of the cause was commenced by Mr Lee for the Appellant & closed by Mr Swan for the Appellee & continued by Mr Lee for the Appellant.

Monday January 1st 1844

John W. Smith pltf vs 51 of John P. Kennedy	Judgment of the Court overruled by the Court the plaintiff does not appear by his Attorney for the Judgment &c

Supt [illegible] January 15th 1841

[illegible] Court [illegible] Term [illegible]
ing at the Capitol

Present

The Chief Justice		
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Alexander Hugh Holmes Stuart, Esquire
William Thomas Carroll, Clerk

[illegible] Court [illegible]

30.	[illegible]	[illegible]
	[illegible]	[illegible]

for the plaintiff in error.

1793. Wednesday February [illegible]

[illegible] adjournment to attend at the Court until the meeting at the Capitol.

Present

The Honorable	[illegible]	Chief Justice
	[illegible]	
	[illegible]	
	John Catron	Associate
	[illegible]	Justices
	[illegible]	
	[illegible]	
	[illegible]	

Alexander Hunter Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

A. Henry Matheuson [illegible] pl[illegible] John H. Clark one of the Executors of Wilson M. Nelson

On appeal from the Circuit Court of the United States for the District of Ohio.

[illegible] to the Transcript of the record from the Circuit Court of the United States for the District of Ohio filed and was argued by Counsel [illegible]

ordered and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed with costs and that this cause be and is hereby remanded to said District Court with directions to that Court to enter a decree in this cause in pursuance of the opinion of this court—

Jno Mc Kinley

Supreme Court of the United States

December Term 1831

33

Summ
vs
Gautmont

We have examined the transcript of the record and proceedings in the above entitled cause and are of opinion that the matters in dispute in the same exceed the sum or value of two thousand dollars exclusive of costs and that the decree of the said District Court of the United States for the District of Florida, at December Term 1831 pursuant to the judgment or decree of this Court and the mandate for the execution thereof ought to be affirmed with costs and the cause remanded to the said District Court.

[illegible] for error to the Court of Common Pleas of [illegible] said ordered that the judgment rendered in this Court at December Term 1817, and all the proceedings thereon and subsequent thereto be and the same are hereby reversed and vacated and the cause as it stood at the Term aforesaid previous to the said judgment, reinstated. And it is further ordered that it be placed on the docket of December Term 1818 to be heard at that Term unless sooner by the Court may assign. The Court to hear counsel for the plaintiff in error now and the defendants

for Mr. Ed. Lawrence

Charles Wheeler [illegible] of vs. Amos Webb & al.	The argument of this cause was continued by Mr. Jones for the defendants in error and sundry by Mr. Lee for the plaintiff in error.

The Bank of Potomac [illegible] vs. The Farmers Bank	The argument of this cause was commenced by Mr. Lee for the plain

pursuant to adjournment the Court met this morning at the Capitol

Present

The Court	Hon. T. Todd	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	[illegible]	
	Levi Woodbury	
	Robert C. Grier	

Alexander Hunter Esquire, Marshal
William Thomas Carroll, Clerk

Prayer having been made the Court is opened

122.	Henry Cutler Admr of William A Fox	In the printed arguments filed in this cause the quotation of precedents, printed by the parties and cited in the record has not been noticed. The Court desire that points to be argued by counsel, by printed arguments, a copy of the Law as counsel may prefer.

On motion ordered by the Court that it be [illegible] by Mr. Rodney. It is ordered that Richard Stockton Esquire of Somerset be admitted to practice as an Attorney and Counsellor of this Court and that he [illegible]

In the Court of Errors & Appeals	The argument of the cause was continued by Mr. Rodney for the defendant in Error and by Mr. Boyle for the plff in Error.
20 Wm Hall & al plff in Er. vs Isaac H. Hazard & al	The Court are not satisfied to this Court on grounds argument & therefore direct that the cause be argued by the counsel for the defendant in Error
Wm H. Stockton - plff in Er. vs Hugh Hughes -	The argument of the cause was continued by Mr. Rodney for the defendant

[illegible] argument for the defendant in Error

Friday February 18th 1825

Journal & adjourned the Court until the morning at the Capitol

Test

At Court	Roger B. Taney.	Chief Justice
	John McLean	
	James M. Wayne	
	[illegible]	Associate
	Samuel Nelson	Justices
	[illegible]	
	[illegible]	

Alexander Wm. Bowie, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is adjourned

On motion first made to the Court in the last by Mr. Attorney General It is ordered that Thomas Swann of Baltimore and Francis Scott Key of Frederick be admitted practitioners of this Court and they were severally sworn accordingly

---

On motion first made to the Court in that behalf by Mr Mason - It is ordered that William Austin Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly -

On motion first made to the Court in that behalf by Mr Jones It is ordered that [illegible] Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly -

On motion first made to the Court in that behalf by Mr Brockenbrough - It is ordered that Samuel Duncan Esquire of Kentucky be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly -

[illegible] dismissed this cause for the want of [illegible] to Mr Justice Story & Livingston & by Mr Attorney General on application of said parties

1841 ... January Term of the Court ...

In the United States ... 1838		The motion filed by Mr. Baldwin to strike out his
136	pl'ff	appearance was this day
Yates & McIntyre		argued by Mr. Galpin in

support of, and by Mr. Attorney General in opposition to, said motion

Sarah Stone vs Stephen		The motion filed by Mr.
208	pl'ff	Crittenden to dismiss this
Christopher Graham		case for the want of juris-

diction was this day argued by Mr. Crittenden in support of, and by Mr. Duncan in opposition to, said motion.

Supreme Court of the United States.

December Term 1841.

John Tyler, President &c. use of &c.		In error to the District Court
11	pl'ff in error	of the United States for the
Wm. S. Hamilton, Executor		Northern District of Missis-
& Fred. S. Hewett.		sippi.

It is hereby ordered by the Court that the argument of this cause on the part of the plaintiff in error be heard on the 8th day of February A.D. 1842 by the counsel of the respective parties in the order in which the same appears upon the docket of the said Supreme Court first had and obtained up to the 8th

[illegible] that the transcript of the record [illegible] in this [illegible] be annexed thereto the annexed mandate be sent for the judgment of the said Circuit Court in this cause and that the said record be considered and taken as for the judgment of the Circuit Court [illegible] and that the said [illegible] under the seal of the said Circuit Court

[illegible]

Nathan Chipman Attorney General for the State of Vermont for appellant

District Court of the United States for the District of Mississippi, December Term 1818.

John Taylor, President of the United States Manufacturing Company [illegible]

[illegible]

[illegible]

[

[illegible] Thursday 10th [illegible] Continued

the declaration aforesaid, and the matters therein contained in manner and form as the same are alleged and set forth, are not sufficient in law for the said John Tyler President as aforesaid to have or maintain his aforesaid action against the said John Hunn, John Hendrickson and Thomas L. Hunn. Whereupon it is considered that the said John Tyler President as aforesaid take nothing by his said writ, and that the said John Hunn, John Hendrickson and Thomas L. Hunn [illegible] go thereof without day &c. Judgment signed 10th of October 1844

Proclamation being made the Court is adjourned until Monday morning at Eleven O'Clock.—

pursuant to appointment the Court met this morning at the usual hour

Present

The Honorable	Henry Emanuel	Associate Justice
	John Belton	
	Thomas S. Wayne	
	Edward Cotton	Chief
	Edward J. Cooper	Justice
	Samuel Chase	
	Levi Woodbury	
	Edward Dudley	

Thomas Burke Esquire Attorney

William Thomas Carroll, Clerk

Further orders being made the Court is opened

On motion first made in the Court in this behalf by Mr Attorney General Cooper it is ordered that P. L. Finger Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was then accordingly

Monday February 21st 1848 continued

On motion first made to the Court in the behalf of Mr Chilcutten - It is ordered that Thomas F. Johnston Esquire of Mississippi be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

	Thomas G. Shelton - Apt.	The argument of this cause
38.	vs.	was continued by Mr Jones
	Clayton Tiffin et al	for the Appellant and by
		Mr Chilcutten for the Appellees

No Motions being made the Court is adjourned until tomorrow morning at Eleven O'Clock

3939

Washington Territory ss.

Pursuant to appointment the Court met this morning at the usual hour

Present

Hon. [illegible] Chief Justice
Hon. [illegible]
Hon. [illegible]
Hon. [illegible] Associates
Hon. [illegible]
Hon. [illegible]

Marshall Lander Esqr. Sheriff
William Thomas Garrett, Clerk

Proclamation for Court to open

Thomas [illegible] Esqr. Prosecuting Attorney for the Second Judicial District

Charles [illegible] Esqr. Prosecuting Attorney for the First Judicial District

Proclamation for Court to adjourn sine die

Adjourned

pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John Mc Lean	
	James M. Mason	
	John Catron	Absent
	Ebn. T. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robt. C. Grier	

Attendance of the Court Crier

William Thomas Carroll Clerk

Proclamation being made the Court is opened

After the opening of the Court the Chief Justice made the following remarks.

Gentlemen of the Bar

In consequence of the death of Mr Adams the Court will not proceed to day with the case under argument

for the long public Service of the honourable and distinguished Member he has held in the government, the Court think it their duty to shew their respect for his memory by adjourning to any with[illegible] transacting any business

---

further which time the Court is adjourned until tomorrow morning at Eleven O'Clock.—

[illegible] to [illegible] the [illegible] of the Capitol

Present

[illegible]	[illegible]	[illegible]
	[illegible]	
	[illegible]	
	[illegible]	[illegible]
	[illegible]	[illegible]
	[illegible]	
	Levi Woodbury	
	[illegible]	

[illegible] Sheriff of Marshal
[illegible] Court Crier [illegible]

[illegible] by [illegible] Chief Justice

On motion first made to the Court in this behalf by [illegible] Esquire it is ordered that [illegible] Esquire of the Bar be admitted to practice as an Attorney and Counsellor of this Court and he was accordingly

30.	John D. Darling plff in Er. vs. Alex. P. Vance	In error to the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Curiam.

29.	[illegible] vs. The United States	On a Certificate from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by Counsel, and it appearing to the Court here that there has been no final judgment or decree of the said Circuit Court in this cause. It is thereupon now here ordered and decreed by

the Court that the office be one the Court ought
compleat for the want of [illegible]

(pr Mr Ch Just Taney

Ex parte Feb 1828	On motion of Mr [illegible]
122	by Mr Jones for leave to file
[illegible]	[illegible]

[illegible] affidavit in support of the motion of his) for the Affidavits in this cause and it the argument of Counsel thereon but on motion ordered by the Court that the same stand over to the next Term for the Court to be more fully advised

(pr Mr Ch Just Taney

Ex parte, Mr Justice Daniel & Others

Same term & ad	The argument of this cause
20	was continued by Mr Swing
Same Term & c	for the Appellants and by
	Mr Hamburg for the Appellees

[illegible] and the Court [illegible]
will be given [illegible]

Saturday January 26th 1845

pursuant to adjournment the Court met this day at the Capitol

Present

The Honorable	John McLean	
	Edward Mayo	
	John Catron	Associate
	Peter V. Daniel	Justices
	Levi Woodbury	
	Robert C. Grier	

Alexander Dunbar Esquire Marshal

William Thomas Carroll Clerk

proclamation being made the Court is adjourned

The Court having attended the funeral of the late Edward Tilghman Esquire on motion made it is ordered that the Court be adjourned on this Sunday morning at eleven O'Clock

Proclamation being made the Court is adjourned until Monday morning at eleven O'Clock

Monday January 29th 1838

pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Chief Justice
James M. Wayne
John Catron
Peter V. Daniel
John McKinley
Robert C. Grier

Associate Justices

William Thomas Carroll Esquire Marshal
William Griffith Clerk

Thereupon the following cases the Court is opened

No. 13

Samuel Eggleston Appellant
vs
William M. Gilchrist Charles M. Stafford & Wm. M. Gilchrist Complainants

Appeal from the Circuit Court of the United States for the District of Maryland

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland & was argued by

bounden - On consideration whereof, It is now here ordered and decreed by this Court that the decree of the said District Court sustaining the demurrer to the bill of Complaint be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said District Court in order that leave may be given to the respondents to withdraw their demurrer, and that the cause may be heard on the bill and answer if the parties do not desire to put in any evidence or on the bill and answer and such evidence as the parties may wish to offer.

Mr Justice Harlan

Counsel heard this day on the motion of the Solicitor General for the appellees	The argument of this cause was continued by the Solicitor General for the appellees

Proclamation being made the Court adjourned until tomorrow morning at eleven o'clock.

Wednesday March 12th 1845

pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John McLean	
	James M. Magne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Levi Woodbury	
	Robert C. Grier	

Hon. Roger B. Taney Chief Justice
William Thomas Carroll, Clerk

Motion in case made the Court as follows

On motion first made to the Court in this behalf by Mr Davis It is ordered that Thomas Wharton Esquire of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr Ewing It is ordered that Geo. W. Crufts Esquire of Maryland be admitted to practice as an Attorney and Counsellor of this Court

Pursuant to adjournment the Court met this morning at the Capitol –

Present

The Honorable	John McLean	
	James M. Mayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	J. Nelson	
	Robert C. Grier	

Alexander Dallas Bache Esquire Marshal
William Thomas Carroll, Clerk –

proclamation being made the Court is opened

On Motion Ordered that the Writ of Error in this cause be dismissed with costs	In pursuance of the agreement entered into between the parties in this cause and confirmed by Mr Attorney General for the Plaintiff in Error and by Mr Crandall for the defendant

proclamation being made the Court is adjourned until tomorrow morning at Eleven O'clock –

pursuant to agreement the Court met this morning at the usual hour

Present

The Honorable	Jesse B. Lacy	Associate Judges
	Edward Bates	
	James M. Marpe	
	John Coburn	Associate Judges
	Peter L. Daniel	
	Samuel Perry	
	Levi Woodruff	
	Edward B. Carr	

Abraham Hunter Esquire Sheriff
William Sloan Esquire Clerk

Recognizance being made the Court is opened

On motion first made to the Court in this behalf by Mr Lane It is ordered that Carty Hall Esquire of Missouri and William Campbell Esquire of Iowa be admitted to practice as Attorneys and Counsellors of this Court and they are severally sworn accordingly

William L. Rose (Impleaded with John Chiles & Carlton Jones) vs. William Dwight	In error to the Circuit Court of the United States for the District of Louisiana

81.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum

for the two Years

The United States 1821 vs. Samuel Cumpston & Ira Carlton	On a Division from the Circuit Court of the United States for the District of Louisiana

80.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana and was argued by Counsel. On consideration whereof, and it appearing to this Court that this appeal has not been prosecuted in the

[illegible] and with the consent of the parties by their Counsel It is therefore now here ordered and decreed by the Court that this appeal be and the same is hereby dismissed

[illegible]

Chancellor in Vacation

The State of Maryland for the use of [illegible] vs [illegible]

On motion of the Counsel for the Respondent and with the assent of the Attorney General of Counsel for the Complainants It is now here ordered by the Court that the cause be and the same is hereby continued to the next term of this Court

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[illegible] vs [illegible]

On motion of the Counsel for the appellant It is now here ordered by the Court that the cause be and the same is hereby continued to the next Court

29	David L. Stacy admr. of G. L. Lee dec'd pl't vs J. S. Prather et al of Wm. Sellers	On motion of Mr. Brittain of Counsel for the defendants it is ordered by this Court that the Clerk do prepare and deliver the mandate of this Court in this cause to the said Counsel so soon as the same can be done by him
15	In Vacation to wit 1852 pl't Caroline L. Bell	In Chambers of Counsel for the appellee now here moved the Court to dismiss this appeal which was opposed by the Attorney General on behalf of the appellants. Whereupon this Court not being now in session & it not appearing to the Judge thereof that any motion to dismiss this appeal was made at the last term of this Court
10	In Vacation to wit 1852 pl't St Clair County et al	On argument of the motion to dismiss this cause was opposed by the Attorney General. Whereupon it is ordered by this Court that the motion to dismiss this cause be and the same is hereby overruled & the said Court of this Court

Jones & [illegible] for Pltf in Er.	The argument of the motion
22	to dismiss the cause was
[illegible] Attorney Genl for Defts	commenced by Mr Jones

[illegible] cause by the Court that the cause be and the same is hereby continued to the next term of the Court

[illegible]	The argument of this cause
41	was concluded by Mr Attorney General for the Pltf

Whereupon the Court adjourned until Monday morning at 9 o'clock

journed it is ordered by the Court that the meeting at the Capitol

Present.

The Honorable	Roger B. Taney	Chief Justice
	[illegible]	
	Peter V. Daniel	Associate
	[illegible]	Justices
	[illegible]	
	Robert C. Grier	

Alexander Hunter Esquire, Marshal

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in their behalf by Mr Jones. It is ordered that George P. Fenton Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was thereupon accordingly

Arthur S. Lovell Comm
Pltff in Error
vs
Sir Hardinge Giffard Knt
Deft in Error

Writ of Error from the Supreme Court in and for the County of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court in and for the County of Iowa and on the motion of Mr Johnson for the Defendant in Error the Writ of Error issued herein having been solemnly called by the Marshal of the Court and no one appearing for the Plaintiff in Error on motion of Counsel for the Defendant in Error it is ordered by this Court that this cause be and the same is hereby dismissed with Costs.

Per Mr. Ch. Just. Taney.

The United States Marshal of the District of Iowa

vs

Thomas S. Wait Comm. Bankrupt and Sam. Hamilton Trustee

Writ of Error to the Supreme Court of the Territory of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Iowa

of the State of Mississippi and was argued by Counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said High Court of Errors and Appeals in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Court to be proceeded with in conformity to the opinion of this Court and as to law and justice shall appertain.

Per Mr. Just: Woodbury

Dissenting Mr Ch. Just Taney & Mr. Just. Daniel

Gabriel L. Baldwin, Lunge Earl & Lunge Kuffy Executors of James Brown, late of the County of Hinds & State of Mississippi (Def'ts in Er.)

vs.

James Payne, Abner B. Green and Robert H. Word

In Error to the High Court of Errors and Appeals of the State of Mississippi

This cause came on to be heard on the transcript of the record from the High Court of Errors and Appeals of the State of Mississippi and was argued by Counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the

the High Court of Errors and Appeals reversing the judgment of the Circuit Court of Jefferson County in this cause be and the same is hereby reversed annulled and held for nought, and that the said judgment of the said Circuit Court of Jefferson County be in all things affirmed and remain in force and virtue the said judgment of the said High Court notwithstanding: and that this cause and the same is hereby remanded to the said High Court of Errors and Appeals to be proceeded with in conformity to this opinion of this Court and to the law and justice thereof.

Ja. M. Jas Woodbury
Dissenting Js. M. Livingston & Js. Catron

John C. Shepherd, Pierce Chouteau & Jr. Jr. appellants in the above
John B. Sanford, John F. H. Sanford. John were Counsel of the
Solomon [illegible] Louis [illegible] of the
Circuit Court [illegible]

Peter & William Griffith [illegible] appellees in Error. This cause
came on to be heard
John Wilson on the transcript
of the record from
the Supreme Court of the Territory of Iowa and
was argued by Counsel. On consideration whereof

of, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs and damages at the rate of 6 per centum per annum.

Js. Mr. Justice Grier.

Samuel L. Fogay and Eliza Ann Fogarty wife of C. W. Wells Appellees vs. Francis B. Conrad, a feigned Nomad Lunk	On consideration of the motion filed by Mr. Sargeant of Counsel for the Appellees to dismiss this appeal and of the argument of Counsel thereupon had as well against as in support of the said motion. It is now here ordered by this Court that the said motion be and the same is hereby overruled

Js. Mr. Justice Grier

The United States Appellants vs. Henry Slatter & Archibald McIntire	On appeal from the Circuit Court of the United States for the District of Louisiana

on the transcript of the record from the District Court of the United States for the District of Louisiana and was argued by counsel, on consideration whereof, and it appearing to the Court that the appeal has not been prosecuted in the manner directed and within the time limited by the acts of Congress, this cause cannot be entertained and it is ordered by the Court that this appeal be and the same is hereby dismissed

per Curiam Dick Sec Ewing

In Error to the District Court of the United States for the District of Louisiana	On appeal from the District Court of the United States for the District of Louisiana
Charles A. Peltier	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana and was argued by counsel, on consideration whereof, and it appearing to the Court that the appeal has not been prosecuted in the manner and within the time limited by the acts of Congress, It is therefore ordered and adjudged by this Court that this appeal be and the same is hereby dismissed

per Curiam Dick Sec Ewing

No. 161. In the State ... Appeal from the District Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana and was argued by Counsel. On consideration whereof and it appearing to this Court that this appeal was not prosecuted in the manner and within the time limited by the acts of Congress. It is thereupon now here ordered and decreed by this Court that this appeal be and the same is hereby dismissed.

Jno. Ch. Lee Clerk

No. 11 ... Appeal from the District Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana and was argued by Counsel and it appearing

It is ordered that the decree of the said Circuit Court in this cause and just as fine & decree, & the papers have examined and entered in this Court that the appeal be and the same is hereby dismissed for the want of jurisdiction.

Jno. Mc. Kl. Jas. Farnell

The United States ...	It is now here ordered by the Court that ...
The United States ...	It is now here ordered by the Court that ...
The United States ...	It appearing that ...

Adjourned to meet at Eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean
Peter V. Daniel Associate
Samuel Nelson Justices
Levi Woodbury
Robert C. Grier
Benjamin Curtis Esqr
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Robert Swan &c. Plff
vs
Susan L. Veatch

Error to the Circuit Court of the United States for the District of Columbia for the County of Washington

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by Counsel. On consideration whereof, It is

The Town of East Hartford vs The Hartford Bridge Company	In error to the Supreme Court of Errors of the State of Connecticut

The Judges of the Supreme Court of Errors of the State of Connecticut certify by the following certificate, to wit:—

"At a Supreme Court of Errors holden at Hartford within and for the County of Hartford on the first Tuesday of December A.D. 1845

Present

The Hon. Thomas S. Williams Chief Justice
The Hon. Peletiah Waterman
The Hon. Thomas B. Butler
The Hon. Charles Dutton
The Hon. Ebenezer Stoddard
The Hon. Thomas Day
The Hon. Pierpont Edwards
The Hon. Samuel Church
The Hon. Thomas Ruggles
The Hon. Henry Dutton
The Hon. Origen S. Seymour
The Hon. Ralph Ingersoll
The Hon. Thomas B. Osborn
The Hon. Samuel Cowles
The Hon. Thomas S. Williams

Judges

The Town of East Hartford Plaintiff in Error

vs

The Hartford Bridge Company

Defendants in Error

This cause came on to be heard on the transcript of the record of the proceedings of the County Court within and for the County of Hartford and on the printed arguments of counsel and was argued by counsel

Whereupon it is considered by the Court that the judgment of the said County Court be and the same is hereby affirmed

And it is further considered by the Court that the said Defendants in Error recover against the said Plaintiffs in Error their costs by them expended in the prosecution of their defence in this behalf

And it is further considered by the Court that the said Defendants in Error have execution of the said judgment and costs

And it is further considered by the Court that the said Plaintiffs in Error pay to the said Defendants in Error their costs by them expended in the prosecution of their writ of error in this behalf

And it is further considered by the Court that the said Defendants in Error have execution of the said

Wednesday, March 8, 1848

Adjournment to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Levi Woodbury	
	Robert C. Grier	

Henry Huntt Esquire, Marshal

William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made in the Court in the absence of Mr. Attorney General - It is ordered that S. Mullin Esquire of New York. Wyman D. S. Lane Esquire of Boston. William Cullen Esquire of New York & Levi S. Merrick Esquire of Maine be admitted practitioners as Attorneys and Counsellors of this Court and they severally were accordingly

On motion first made to the Court it is ordered that Letters of Administration on the Estate of Joseph P. Ingersoll late of Rowan County deceased be granted to Mary Ingersoll Widow of said deceased and Thomas L. Hall and Robert Gillespie Esquires who entered into and acknowledged their Bond in the sum of Two Thousand Dollars with Joseph Graham Esquire as their Security conditioned according to Law.

[illegible] Ingersoll, Joseph P. deceased | Administration

[illegible] | [illegible]

[illegible] | [illegible]

[illegible] | [illegible]

the next ensuing Term of this Court, a copy of this order being published according to the 28th rule of this Court - and also served on said legal representatives personally if the same can be done and if not that Service thereof be made by leaving a copy thereof in the Clerks office of said District Court at least 90 days before the first day of next Term - and in that in default of said representatives to determine such party the Appellants may proceed and try said cause ex parte or otherwise as the Court may think meet - Whereupon the Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider

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Theophilus Bailey Plff in Er.
vs.
Thomas Lee

Writ of error to the Supreme Court

And now on this 5th day of March 1806 comes J. D. Westcott Jr. Attorney of the Plff in Error and suggests and gives the Court here to understand and be informed that the said Plaintiff in error the said Theophilus Bailey hath since

the suing out of said writ of error and the suing of the record in said cause in this court during this Life, but that he is not advised as to the one his legal representatives - and thereupon it is moved by said Attorney that the legal representatives of said Plaintiff in Error when the same shall be known be allowed to come in in position and become parties in said cause in the stead of said Plaintiff in Error upon this Court not being now here sufficiently advised of and upon the premises - and it is ordered by the Court that [illegible]

Charles L. Taylor & Simeon Preston - Plffs in Error
vs.
Benjamin L. Wilson - Defdt

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In error to the Circuit Court of the United States for the Southern District of New York

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On motion of Edwin Dwight of Counsel for the Plaintiffs in Error the Court grant leave to file the bill of Exceptions in said cause on or before the first day of July - with the same effect as if [illegible] at the present term with the record with leave also to assign Errors at that

time with the same effect as if an assignment of error had been filed at the time of originating filing the record.

William C. Bradens Pltff in Er.	In error to the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington
The Hon.ble John Q. Deason Secretary of the Navy of the United States	This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed

The United States Pltff in Er. vs. Amos Kendall & al. Defts	The argument of this cause was continued by Mr. Key & Brent for the defendants in Error.

Proclamations being made the Court is adjourned until tomorrow morning at eleven o'clock.

argued by Counsel, On consideration whereof, It is now here ordered and adjudged by this Court that the Judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Daniel.

The President Directors & Company of the Bank of the Metropolis - pltffs in error	Appeal from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington.
vs.	
The President Directors & Company of the New England Bank.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by Counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr. Chief Justice Taney.

Thos. C. Shelton - vs -	On appeal from the Circuit
35	Court of the United States for
Chas. Effinger & others	the District of Louisiana
Def'ts	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by Counsel - On consideration whereof, It is the opinion of this Court that the said Circuit Court erred in directing the interest to be computed on the Bonds and Coupons from the first day of January 1842 instead of computing the interest on said of the three several notes for $ 15.333⅓ Fifteen thousand three hundred and thirty three and one third dollars from the time the said notes respectively became due, and that if the money shall not be paid within ninety days from the filing of the mandate of this Court in the said Circuit Court that then the mortgage shall be foreclosed and the complainants put in the possession of the property and that in that case the equity of redemption therein be foreclosed and barred, and that if the said money with interest as aforesaid be duly paid as aforesaid that then the said

mortgage should be held discharged and whether the Miller fund in proportion of the said fee partly. Whereupon it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed, that each party pay his own costs in this court, and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded with in conformity to the opinion of this court and as to law and justice shall appertain.

per Mr. Justice McLean

Mark & John P. Buckingham vs Nathaniel C. McLean	Mr. Ewing, in behalf of the Appellants moved

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The Court to receive & amend the order passed by the Court the 20th day of January past, docketing and dismissing this appeal under the 13th rule and for leave to file the transcript of the record now brought here into Court and to docket this appeal. On consideration whereof and it appearing to the Court upon an inspection of the said transcript that there has been a writ of error to the [illegible]

ney of the State and the prosecution in Error has been made returnable the 2d Tuesday of October 1814. It is therefore now here ordered by this Court that the said motion be and the same is hereby overruled

Jno. Tyler Clk

Edmund Christian Assignee of Bankruptcy of William Hill

vs.

Edmund Christian Assignee of Bankruptcy of William Hill

In Error from the District Court of the Eastern District of Virginia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia and was argued by Counsel. On consideration whereof, and it appearing to this Court that the decree of the said Circuit Court in this cause is an interlocutory and not a final one. It is therefore now here ordered, adjudged and decreed by this Court that this cause be remanded to the Court where it was originally instituted for that Court to proceed therein

Jno. Tyler Clk

James Irvine - Appellant in Error vs Alfred L. Lewis, Appellee.	On consideration, it is ordered by this court that the motion of the Appellant & Lewis to dismiss this writ of error be & the same is hereby overruled.
Abram Lewis & al. Assignees &c. Appellants vs Joseph H. Potter	On consideration of the motion made in this cause by Mr. Attorney Peters and Counsel for the Appellants. It is ordered by this Court that the legal representatives of Joseph H. Potter, [illegible] (suggested on the record) come in and become party Appellee in this cause instead of the said H. Potter, on or before the first ten days of the ensuing term of this court. And that in default of the said representatives so becoming such party the Appeal be dismissed and the decree complained of affirmed with costs unless cause to the contrary be shown before the end of the next term of this court. And it is further ordered that a copy of this order be printed in some newspaper at the seat of government in which the laws of the United States are directed to be published for three successive months at least sixty days before the [illegible]

[illegible] Ewart vs Thomas Ewart	Commencation of the mot made in the cause pursuant to M. Mitchell of Counsel for the plaintiff in error for leave to

the legal representatives of Theophilus Ewart, who dec[illegible]
[illegible] been suggested on the record, to come in and be
[illegible] and [illegible] and it
now here ordered & this court that the heirs &
representatives of said Theophilus Ewart, deceased, have
leave to file their appearance in this cause and
to become the plaintiffs in error in this behalf & to
prosecute their writ of error

The United States vs Andrew Hodge & al	The argument of this cause was concluded by Mr Hammond Counsel for the plaintiffs in error

[illegible] to be heard [illegible]
[illegible] morning at eleven o'clock

[illegible]

[illegible]

[illegible]

John D. Lush - Appl vs Jacob Marshall and William L. Hollister	On appeal from the Supreme Court of the Territory of Iowa

22.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Iowa and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per cent per annum, until paid to the Appellees in the mortgaged premises mentioned in the pleadings, unless the Appellant shall pay the amount of said decree with interest and costs within sixty days from the date of the mandate in this cause to the Supreme Court of the State of Iowa.

Edward Lain & Mary Lain his wife - Appls. vs Isaac Hall	On appeal from the District Court of the United States for the Eastern District of Louisiana

on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. —

per Mr. Justice McKenna.

Depending on the last Case of the Sarah Nelson & Sister

The United States Petitioners in Error vs. Spencer Kellogg & Sons Inc.	In error to the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel, On consideration whereof, it is now ordered, and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed and that the cause be and the same is hereby remanded to the said Circuit Court with directions to award a new trial in

Citizens Bank of Louisiana vs Society Bank of New Orleans	This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by counsel - On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed & the said Supreme Court is directed to proceed in conformity to the opinion of this Court and to law and justice. It is shall appertain per Mr Ch Js Taney

Henry Sim (late Mfr. Sheriff) vs Cornelius P Van Ness & others	On appeal from the Circuit Court of the United States for the District of Columbia for the County of Washington

Mr Coxe of Counsel for the appellee, having filed and read in open Court the following certificate, viz:

District of Columbia, County of Washington, Set:

I William Brent, Clerk of the Circuit

Court of the District of Columbia for the County of
[illegible] was removed to said Court at the March Term thereof in the year 1846 affirming the Judgment of the Orphans Court for the County of Washington on an appeal therefrom by a certain Mary Ann Van Ness against a certain Cornelius P. Van Ness administrator of John P. Van Ness from which said decree of the Circuit Court the said Mary A. Van Ness at the said March Term prayed an appeal to the next supreme Court of the United States, Held at the December Term 1847 which appeal was granted and is still pending. A further certificate that no record of the case has been made out, nor ordered to be made out for said Supreme Court.

In Testimony whereof, I have hereto
subscribed my name and affixed
Seal the public seal of said Court for
the County aforesaid this 11th March 1848

Wm Dunn Clk

And during which it did appear that the said appellant had altogether failed to file the record of said case in this Court, or in any way to prosecute said appeal now here moved the Court [illegible]

of the Supreme Court do have that appeal dismissed and dismissed. On consideration whereof, It is now here ordered and decreed by this Court that the appeal from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington be and the same is hereby declared and dismissed with costs, and that the same be and the same is hereby remanded to the said Circuit Court for further proceedings to be had thereon in conformity to the rule and decree of this Court made in this cause.

Per Mr. Ch. Justice Marshall

William H. Van Ness and Peter Van Ness Executors of William Pagan deceased late of the City of Washington	In error to the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington

The Practice of Courts for the information of the Court in this case is as follows to wit:

"District of Columbia, County of Washington, to wit:

I William Brent, Clerk of the Circuit Court of the District of Columbia for the County of Washington do hereby certify that in a certain [illegible]

the year 1847 in which William H. Driggs use of Joseph Libby was plaintiff, and William H. Van Buren was defendant, the said defendant filed his appeal bond, and thereupon a writ of error was issued to carry said cause to the Supreme Court of the United States returnable to the next Term thereof, to wit, the December Term 1848, for which I further certify that the said writ of error is still pending, and all proceedings thereby prosecuted in the said Circuit Court.

In testimony whereof, I have hereunto subscribed my name and affixed the public seal of said Court for the [illegible] at [illegible] this [illegible] day of June A.D. 1848.

Wm. Grant Clerk.

and having stated that the said plaintiff in error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error, now here, moved the Court in manner of the 32d of this Court to have this writ of error docketed and dismissed. On motion whereof, It is now here ordered [illegible] to the Court that the said writ of error in this

Circuit Court of the United States for the District of Columbia, and was argued by Counsel. On consideration whereof, it is ordered by this Court, that the said Judgment be and the same is hereby reversed and annulled, and that this Cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had thereon in conformity to the law and opinion of this Court, the said parties of error and their costs.

Jos. Jno. Ch. Just. Supreme Court.

Peter Hagg & al. Plff in Er. vs. The U. States.	In error to the Circuit Court of the United States for the District of Columbia.

Mr Sargent of Counsel for Hagg & Delaunder suggests a diminution of the record — that the Bond filed in the Court below & the Bond which do not appear in the Rec. of Proceedings and which were filed by the order of the Court & the Bond filed by the Clerk of the Court this morning, directed to be entered, that the Plaintiffs in Error have a right to proceed on said Bond exhibited & as if same had been brought up on the writ of Error.

the argument moved for a writ of certiorari to bring up such exceptions. —

John G. Sargent. —

Upon the within petition it is ordered that proceedings in this case be entered at the present Term — that the certiorari be issued as prayed returnable on the first Monday in May next — reserving to the defendant in Error all the objections now open to this motion and to the proceedings by certiorari.

(for Mr Ch. Jus. Taney —

Ex parte Nathan Whitney Plaintiff in Error vs The Branch Bank of the State of Alabama at Mobile	In Error from the Circuit Court for the District of Alabama

1841 March 13th

And now to wit on this day came the parties aforesaid by their attorneys aforesaid and the Court having heard the argument of counsel for the plaintiff in error on his motion for a certiorari to bring up the record and docket the writ of error in this case and to have the same heard at the present term and the argument of counsel for the defendant in error thereon and dismissing the writ of error in this case on the first day of the present term (the writ in this case having been returned on the first day of December last) and the Court having fully considered the premises and being now sufficiently advised of and concerning the same do order that the said motion be and the same is hereby overruled and that the writ of certiorari prayed for be not issued and that the writ of error in this case be dismissed with costs and that the plaintiff in error pay to the defendant in error the costs of this motion and the costs of the writ of error in this case to be taxed by the Clerk of this Court.

[illegible] and order the defendant to [illegible]
order of, It is therefore ordered by the Court that
the judgment of the last week be and the same is
this writ of error with costs, entered on a previous
day of the present term of this Court, to wit; on
Friday the 7th day of March last and the
[illegible] by the plaintiff in error against
the defendant in error and also [illegible]
and in conformity to the rules of this Court.

Wm. Ck. Jud: Court

[illegible] Leave is given to the Dept. of Licenses for the plaintiff
[illegible] to issue to the plaintiff in error upon their executing
[illegible] bond in the penalty of [illegible]
the judgment of the [illegible] rendered
[illegible] and determined. And writ of error
and citation [illegible] that [illegible]
should go the defendant in [illegible]
of office to the Court from the decision of
which the said is sent now prosecuted to file the
record and docket the case in conformity to the
rules of the Court & [illegible]
would do the Court that the said petition be and
the same is hereby [illegible]

James Reid Pltff in Er
vs
the Bank of Boston

George Smith Pltff in Er
vs
Ebenezer Smith Deft &c

Elijah Perkins Pltff in Er
vs
James Sage &c

Abraham Colby Pltff in Er
vs
James Loudon

On motion of Mr Webster, It is now here ordered by the Court that these causes be set down for argument at the commencement of the next sitting of this Court

Luther Hodges Pltff in Er
vs
Luther H. Loudon

It is now here ordered by the Court that this cause be and the same is hereby held under advisement and that this cause be and the same is hereby continued to the next term of this Court

The United States ppff. and The City of Portland	It is now here ordered by the Court that this cause be and the same is hereby further continued. — and that this cause be and the same is hereby continued to the next term of this Court.
Rachel Luther Compt! pl! and Ethan A. Gordon Def!	It is now here ordered by the Court that this cause be and the same is hereby further continued. and that this cause be and the same is hereby continued to the next term of this court. —
The Int. Trust Co. ppff. in dr and John H. Hand & al	It is now here ordered by the Court that this cause be and the same is hereby further continued. and that this cause be and the same is hereby continued to the next term of this court.

Saturday January 28th Continued

Ordered by the Court, that the court stand adjourned to the first Monday in May next pursuant to the Act of Assembly in such case made and provided that is to say Should Court before that day authorizing the court to hold an adjourned Session - then the Court stand further adjourned to the time and place appointed by law, and in that event, all causes, suits and [illegible] to be continued until the next Term.

Proclamation being made the Court is adjourned to the time and place appointed by law.

At the Capital of the United States in the City of Washington and District of Columbia being the present seat of the Federal Government on the third Monday in December being the fourth day of the said month in the year of our Lord one thousand eight hundred and forty eight and of the Independence of the United States the Seventy third, the Supreme Court of the United States met agreeably to law

Present

The Honorable John McLean

John Catron
John McKinley
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier
Benjamin Robbins Curtis

Associate Justices

William Thomas Carroll, Clerk

Proclamation being made the Court was opened

The Order for Court announced at the Session the first Monday commencing the 4th

of the docket under the 26th Rule, to morrow.

Proclamation being made the Court is adjourned until to morrow morning at 10 o'clock

---

pursuant to adjournment of Saturday the
morning at the Capitol
Present

The Honorable the Judges

James M. Morsell	Supreme
John Cranch	Court
John D. Clarke	
Thos. [illegible]	
Raynal Bailey	
Levi Woodbury &	
Robert C. Weir	

Robert Wallace Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

Robert Wallace Esqr. of the County of Columbia appeared and produced the following letters patent which were read in open Court and ordered by the Court to be recorded on the minutes of this Court in the following words to wit.

James K. Polk President of the United States of America To all to whom these pre

Justice's Commission &c. Continued

These presents, Greeting: Know ye, That reposing special trust and confidence in the Integrity, Ability and diligence of Robert Walker, of the District of Columbia, I have nominated, and, by and with the advice and consent of the Senate, do appoint him Justice of the Peace of the United States for the said District, and do authorize and empower him to execute and fulfil the duties of that office according to Law; And to have and to hold the said office with all the powers, privileges, and emoluments to the same of right appertaining, unto him the said Robert Walker, for the term of four years from the day of the date hereof, unless sooner removed or superseded by the President of the United States for the time being, or the Senate of the same, to receive and determine that exemption.

In Testimony whereof, I have caused these Letters to be made patent, and the Seal of the United States to be hereunto affixed.

Seal.

Given under my hand, at the City of Washington, the twenty first day of June in the year of our Lord one thousand eight hundred and forty eight, and of the Independence of the United

State of Ohio, ss. Be it remembered
by the Court Lewis Cass
Esq. Judge of said Court

On the back of which is the following
endorsement, viz
District of Columbia, County of Washington, ss.
I, the subscriber, Chief Judge of the Circuit
Court of the District aforesaid, certify that on
the 22nd of June last Lewis Cass
Esq. was in due form of law
the oath of office as Marshal of the said Dis
trict, and also the oath to support the con
stitution of the United States.
W. Cranch

Gordon & Dye pltffs vs Edward S. Parker	Ordered that the writ of error in the above cause be dismissed with costs.

It is therefore ordered by the
Court that the same be and the same is
hereby dismissed with costs to the plaintiffs in error
pursuant to the 32nd rule of Court.

2.	Wm Mitchell Plff in Er. vs Wm Mitchell Deft	On motion of the Plff in Error for the plaintiff in Error. It is now here ordered by the Court that the same be and the same is hereby reversed & held for nought.
3.	Richard King Plff in Er. vs Richard King Deft.	On the motion of the Plff in Error for the reversal of the Judgment in Error with the consent of the attorney General in behalf of the Plff in Error. It is now here ordered by the Court that this cause be and the same is hereby reversed & held for nought.
4.	Jno M Phillips Plff in Er. vs Jno D Preston Deft	On motion of the Plff in Error for the reversal of the Judgment in Error. It is now here ordered by the Court that the same be and the same is hereby reversed & held for nought.

Charles Diamond Jeff vs Frederick H. Summers	This cause having been called for argument and no counsel appearing for either party and the Court being advised in the premises now here ordered by the Court that this cause be and the same is hereby continued at the cost of the defendant under the 21st rule of court.

Samuel Sargent Plff vs Ira Sage Def	This cause coming on to be heard for argument and no counsel appearing for either party and the Court being advised in the premises now here ordered by the Court that this cause be and the same is hereby continued at the cost of the defendant under the 21st rule of court.

Timothy L. Shaw vs Lorenzo Wells	This cause coming on to be heard for argument on the Demurrer of the Deft to the Plff's declaration and the Court being fully advised in the premises doth overrule the Demurrer of the Deft to the Plff's declaration.

And thereupon leave is granted the Deft to plead to the Plff's declaration within thirty days from this date.

Minutes of Court

Pursuant to adjournment the Court met this morning at the Capitol

Present

Hon Samuel John Gholson

Hon Wm. H. Haynie

Hon Calvin

John McKinney Associate

Peter F. Grant Justices

[illegible]

Levi Woodbury &

[illegible]

Robert Walton Esqr Marshal

William [illegible]

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Col Jones. It is ordered that Asa Faker

[illegible]

On motion first made to the Court in this behalf by Sir Edwd It is ordered that [illegible]

... and John M. Larrieu Esquires of the ... be admitted to practice as Attorneys ... Counsellors of this Court and they ... accordingly.

On motion ... to the Court on the ... of Mr. Ramon Johnson. It is ordered that ... Powers Esquire of Texas be admitted to practice ... an Attorney and Counsellor of this Court and ... was sworn accordingly.

... Esquire ... of the City of ...	It is ... ordered by the Court that ... be and he is ... by the ... for the City ... on Tuesday the ... inst.

... Esquire ... of the ... of Texas ...	It is ... ordered by the Court that ... be and he is ... by the ... for the ... on Tuesday the ... inst.

Wednesday December 8th 1830 Continued

[illegible] pltf in Er v Lessee Ley Deft	It is now here ordered by the Court that leave be and the same is hereby granted the Defendants Counsel to file a further argument in this case by the first day of January next pursuing the opposite Counsel of the Defendant will a copy of the same before filing
Abraham Kelly pltf in Er v Lessee Lee	It is now here ordered by the Court that leave be and the same is hereby granted Mr Webster Counsel for the plaintiff in Error to file a further argument in this case by the first day of January next pursuing the opposite Counsel of the Defendant will a copy of the same before filing
Joshua Kennedys Exors & al v Lessee of Jonathan Hunt & al	The argument of this cause commenced by Mr Webster counsel for the plaintiffs in Error

[illegible] the hour of the Court is adjourned until 6 o'clock tomorrow morning at 10 o'clock

[illegible] to adjourn and the Court not [illegible]
[illegible] of the Judges

[illegible]

The Honorable [illegible]
[illegible]
[illegible]
[

In the Cause [illegible]	The argument of this cause was continued by Mr. Sr. Underwood and Sergeant for the defendant in Error.

Proclamation being made the Court is adjourned until to morrow morning at eleven O'Clock

pursuant to ... the Court met ...
Day of the ...

Present

The Honorable ... Esq.

James H. Wayne	
John Cotton	
John McKinley	Associate
[illegible]	[illegible]
Samuel Nelson	
Levi Woodbury	
Robert C. Grier	

Roger Taney Esquire Marshal
William Thomas Carroll Clerk

Attorneys ... Court ...

On motion ... made to the Court ...
... behalf of ... Wirt. It is ordered ...
... F. Fielding Esquire ... admitted ...
... as an Attorney and Counsellor of this
Court and he ... accordingly.

On motion ... made to the Court ...
... behalf of ... Esq. it is ordered that

Wm Taylor Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Joshua Dennis's Exrs et al vs Jeff'n & Del'a & Lott'n Bank et al	The argument of this cause was continued by the Counsel for the plaintiffs in Error
Wm Wirt et al plffs in Er vs The Branch Bank of the State of Alabama	On motion of Mr. Ingersoll of Counsel for the defendant in Error. It is now here ordered by the Court that his motion to dismiss the cause for the want of jurisdiction be and the same is hereby set down for argument on Friday next the 5th instant.
Ferdinand J Dreer et al vs John Lear	Mr. Webster of Counsel for the defendant, moved the Court to strike from the argument of the points filed by the Counsel of the plaintiffs in Error the cases which were offered by the Counsel for the defendant in Error. Whereupon

[illegible] here ordered by the Court that the said [illegible] be and the same is hereby confirmed

---

Ireland Ellis Hill vs Ex. This cause having been called for argument and Counsel not being ready to proceed with the same

It is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the next of the docket under the [illegible]

[illegible] This cause having been called for argument and Counsel not being ready to proceed with the same

It is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the next of the docket under the [illegible]

1860 Friday December 7th Present as before

Geo. Peck Sheriff &c. vs. Jeff. in Eq. Comm. of Middlesex	Mr Hilton on behalf of Mr Brewster of Counsel for the defendant in the suggestion of the Court that this case presented the same question as that disposed in the United States vs the City of Portland under the Chief Justice pro forma decision whereof it is now here ordered by the Court that this cause lay over for the present.
Sprague & Daughlin Appts vs Bank of Potomac Def	This cause having been called for argument and Counsel not being ready it is now ordered by the Court that this cause be and the same is hereby passed to the foot of the docket under the 36th rule of Court.

The Court being made the Court is adjourned until Monday next at Nine o'Clock.

[illegible]

[illegible]

[illegible]

[illegible] Monday February [illegible] 1815

On motion first made to the Court in this behalf by Mr Jones. It is ordered that Geo. S. Selden Esquire of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was accordingly.

On motion first made to the Court in this behalf by Mr Jones. It is ordered that David B. Ellis Esquire of Louisiana be admitted as an Attorney and Counsellor of this Court and he was accordingly.

The United States plaintiffs in error vs [illegible] defendant in error	The argument of this cause was commenced by the Attorney General for the plaintiffs in Er. and continued by Mr Jones for the defendant in Error.
	Whereupon the Court is adjourned until to morrow morning at eleven O'Clock

Robert Wallace Esquire Barrister
William Thomas Burrell Clerk.

1911. Minutes, Common Pleas.

Journal of adjournment of Court and [illegible]

[illegible]

[illegible]

[

The United States [illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

[illegible] (D)

[illegible] adjourned the Court met this

[illegible]

The Honorable Asa D. Jones Chief Justice

John McLean
James H. Wayne
John Catron
John McKinley Associate
Peter V. Daniel Justices
[illegible]
Levi Woodbury
[illegible]

John F. Meagher Esqr Marshal
William Thomas Carroll Clerk

Proceedings being made the Court is opened

On motion first made to the Court on the behalf of Wm. Hole. It is ordered that Charles Emmett Esqr. of Greeneville be admitted to [illegible] of the [illegible]

Jeanne Bouchard Lessee &c vs. Ptff in Er. Bouchard of Plaquemine	The record of this cause was ordered by the Court for the plaintiff in Error and remanded by the Clerk in the usual form
Bridget McGaughin and al Bouchard of Pointe Coupee	The argument of this cause was commenced by Mr Eustis for the Plaintiff in Error

[illegible]

[illegible]

[illegible]

[illegible]	
[illegible]	
[illegible]	[illegible]
[illegible]	
[illegible]	
[illegible]	
[illegible]	
[illegible]	

Robert Wallace Esquire Marshal
William Thomas Carroll, Clerk

[illegible]

[illegible]

Friday December 5th 1851 Continued

vs.	
The French Bank of Canada	

Declaration was submitted by ... on the ... Operation of the Law of ... Off as Over. It was ... that leave be and he is hereby ... him to submit a ... per the 22nd ... of ...

Peter Hogg et al. ...	
vs.	
John L. Comeau	

In this cause at the last ... put off ... appearance ... and ... the ... Hearing ... Friday ... the 12th ...

Pursuant to adjournment the Court met at the Court House at the Capitol

Present

The Honorable [illegible]

[illegible]

Robert Walker Clerk [illegible]

[illegible]

[illegible]

Ordered that [illegible]

[illegible]

[illegible]

[

Timothy L. Shaw appellant
vs
Levi Hall

Error to the Supreme Court of Judicature of the State of Vermont

This cause came on to be heard on the transcript of the record of the Supreme Court of Judicature of the State of Vermont and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the Supreme Court of Vermont for further proceedings to be had therein in conformity to the opinion of this Court

Mr. Justice Wayne delivered the opinion of the Court

Bridget McNamara &c
pltf
vs
Bank of Columbia

Error to the Circuit Court of the United States for the District of Columbia and

Table of Contents

Pursuant to adjournment the Court met this morning at the [illegible]

[illegible]

The Honorable [illegible] Judge of the [illegible]

[illegible]
[illegible]
[illegible]
[illegible] Attorney
[illegible] Sheriff
[illegible]
[illegible]
[illegible]

[illegible]
William Freeman Esquire [illegible]

Proclamation being made the Court is opened

James Harris. Plff in Er.	The assignment of Errors
vs	was confessed by Def[illegible]
The City of Dallas	for the defendant in Er[illegible]

Proclamation being made the Court is adjourned until tomorrow morning at [illegible]

Journal Common Law

Judgment to adjustment the Court part
Interest of the Capital.

Plaintiff

Sunday Church [illegible]

[illegible]	[illegible]

Proclamation [illegible]

[illegible] Friday December 22nd 1848

[illegible] adjourned the Court over the [illegible]
[illegible] of the Session

Present

The Honorable	Roger B. Taney	Chief Justice.
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	[illegible]	

[illegible]
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this [illegible] it is ordered that William M. Silgiman Esquire of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was [illegible]

Friday December 22nd 1848. Continued

Isabella Cohen Widow and Samuel M. Cohen Esq.	The Petition of Isabella Cohen Widow and Sarah M. Cohen [illegible]

[illegible] the Affidavit taken & the Court and grant Letters of administration upon the Estate of Lord Samuel M. Cohen, to Joseph M. Cohen. Proctor here moved the Court that [illegible] [illegible] ication as aforesaid be dismissed as it [illegible] to this Court at the time of the [illegible] [illegible] [illegible]

Monday December 26th. 1825.

Court to accompany the Court this day at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John Catron	
	James M. Wayne	
	John Baldwin	
	John McKinley	Associate
	Peter V. Daniel	Justices
	[illegible]	
	[illegible]	
	Robert C. Grier	

Robert Walton Esqr. Marshal

William Thomas Carroll Clerk

Proclamation being made the Court is opened.

George Smith - plff in Er.	This cause was argued
vs	by Mr. Van Buren for
William Turner, Kenneth	the defendant in error
Court &c	

pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
[illegible]
[illegible]
John Cadwallader
John McKinley Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier
Robert Walton Crain Marshal
William Thomas Carroll Clerk

[illegible]

On motion first made to the Court on the behalf of Mr. Ewing. It is ordered that Joseph Bradley Esquire of New Jersey be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

49.	Charles [illegible] vs. [illegible] Walter Chase [illegible]	The argument of the cause was continued by the Court for the defendants and concluded by the Court for the complainant.
50.	The United States vs. The City of Chicago	This cause was argued by Mr. Attorney General for the complainants.
51.	Jacob Haag [illegible] vs. The Augusta Ins. Co.	The argument of this cause was commenced by Mr. Bacon for the [illegible]

Arrearages being made the Court [illegible] [illegible] [illegible]

1821 Thursday December 27th 1821

Ordered & adjourned the Court met Accor-
ding to the Constitution

The Honorable Isaac N. Parker Chief Justice
John Thomson
Samuel M. Wayne
John Crittenden
John McKinley
Peter J. Daniel
Samuel Nelson
John Woodbury
Robert C. Grier
Robert Wallace Esquire Marshal
William Thomas Danner Clerk

Proclamation being made the Court is opened

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

from the Supreme Court of the State of Alabama
and was argued by Counsel [illegible]
[illegible] Court [illegible]
[illegible]
for the Plaintiff in Error

31.	Sarah Kaye &c. Exrs &c. pl. in Error vs The Augusta Ins. & Bkg Co.	The Judgment of this Court was rendered for the Plaintiff in Error
32.	Ins. & Bkg Co. pl. in Error vs Joseph Kennedon	The Mandate was directed to the Court in the record and founded upon the opinion delivered by Mr. Chief Justice Taney

[illegible] Plaintiff in Error and by Mr. [illegible] for the Defendant in Error.

[illegible] Court [illegible]
[illegible] Error [illegible]

Friday December 29th 1848

Present

Present

Jacob Hays Esq. Sheriff	The account of the
12 vs	case continued by the Court
The Augusta Ins. Co.	for the plaintiffs and by
	the Jury found for
	the defendants

Harris Smith	Complaint of the
13 vs	defendant that
Branch Bk. of Alabama	the Court of Errors
	was committed in the

on the record by Gov. Ives for the defendants in Error and by Gov. Seale on a written argument on behalf of the

Proclamation being made the Court
til Tuesday next at eleven O'Clock

Present at the Capitol

Judges

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Robert Walton Esqr Marshal Peter V. Daniel Esqr

Proclamation being made the Court is opened.

The Hon Simeon Mason	On appeal from the Circuit
[illegible]	Court of the United States for
[illegible]	the District of Rhode Island.

The Appeals having been filed and read in open Court the following certificate, to wit:-

"Rhode Island District

Clerks office Circuit Court

At Special Court 20th Feb 1850

I, John T. Pickman Clerk of the United States Circuit Court for the first Circuit for the District of Rhode Island do hereby certify that at the Term A.D. 1849 of said Circuit Court began and holden at Newport within and for said District on the first Monday of September the same being the third day of said month the following cause in Admiralty to wit Jonathan P. Hall of Boston in the County of Suffolk and State of Massachusetts Master and Owner of the New Jersey Steam Navigation Company a corporation incorporated by the Legislature of the State of New Jersey Libellants for a cause of Contract and Civil Maritime & decree and certain Libellant against said Respondent of Five thousand one hundred and fifty dollars and fifty cents with interest thereon from the date of said decree and costs of suit which said decree was passed in Open Court on the first day of said September on Bond being given in the sum of Two thousand dollars in the form of the Bond prescribed by the Rules of this Court and filed in the Clerks office of this Court

In Testimony whereof I

1854 Pawtuxet January 2d 1849 Continued

[illegible] the Court of said Court in the case
aforesaid [illegible]

and having stated that the respondent had
neglected & refused to file the record of said case in
said Court, & on said proof & proceedings said Court
of the 1st rule of this Court to have this appeal
dismissed and decreed - On consideration whereof
of it is now here ordered and decreed by this Court
that the appeal from the Circuit Court of the
United States for the District of Rhode Island
[illegible] be
[illegible] and that this cause be and
the same is hereby remanded to the said Cir-
cuit Court for further proceedings to be had
[illegible] to conformity to law and justice the
said appeal notwithstanding.

Per Curiam.

Wednesday January 2d 1816

Pursuant to adjournment the Court met at the Court House at the Cahawba

Present

The Honorable Hugh D. Young Chief Justice

John D. Coe
Samuel W. Meyer
Isaac Lesley
Thomas W. Young
Edward Lucas
Samuel Tate
Thomas Mountjoy
Robert E. Lee

Esqrs Associate Justices

William Crawford Esqr Clerk

Proclamation being made the Court is opened

On motion Ordered that the Court do now proceed to the Election of Two Justices of the Peace to serve in and for the County aforesaid for the ensuing year and that the Clerk of this Court do issue notice accordingly

---

Martin Luther
vs
Luther M. Borden et al, Thos
Johnson, William A Brown,
Silas H. Munroe, William
A Low, Comr Courts
and Others Defts

Error to the Circuit
Court of the United
States for the District
of Rhode Island

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Rhode Island and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs.

On Motion of Mr. Daniel

Ordered that the Clerk of this Court issue a mandate in this cause.

Mr. Justice Daniel did not sit in this cause.

Ordered that Mr. Justice Woodbury

Luther - Compt
vs
[illegible]

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Rhode Island.

This cause came to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and on the questions and points on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided and was argued by Counsel - On consideration whereof, and it appearing to this Court upon an inspection of the said transcript that a point in the cause within the meaning of the said act of Congress was certified to this Court as aforesaid, it is thereupon ordered and decreed by this Court that this cause be and the same is hereby remanded and that this cause be and the same is

Isaac Mathison, John Dargin, Robert D. Lamed, Willis Gayle, John Lamed and Edward M. Wise.	In Error to the Supreme Court of the State of Alabama.
The Branch of the Bank of the State of Alabama at Mobile	This cause came on to be heard on the transcript of the record from the Supreme Court of State of Alabama and was argued by Counsel. On consideration whereof, and it appearing to this Court upon an inspection of the said transcript that there is nothing in the record which this Court is authorized to review, It is therefore ordered by this Court that the writ of error in this cause be and the same is hereby dismissed for want of jurisdiction.

pursuant to adjournment the Court
ing at the Capitol

The Honorable John Tilford
[illegible]
Robert Wallace Esquire Presi
William Thomas Carroll Esq

[illegible]

Thomas Henderson et al 21. Vs. Suffs in Er. Error to the Circuit Court of Lewis.	The argument of this cause was commenced by [illegible] for the plaintiffs in error and continued on this day by [illegible] for the defendants in error and concluded by [illegible] for the plaintiffs in error.

23	William F. Dudley & al. vs. William M. Goodrich	The cause was submitted to the decision of the Court on the record and Counsel argument by the Pltf. afterwards for the defendant
24	Isaac Davis vs. Joseph Long, Trustee	The argument of the cause was resumed by the Court adjourned for the Pltf. on the

Surrender by said the Court adjourned until Tuesday morning at Eleven O'clock.

Pursuant to adjournment the Court met this
day at the Capitol

Present

The Honorable

James McMunn
John Cahill
John McKinley
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier

Associate Justices

Robert Walker Esquire Reporter
William Thomas Carroll Clerk

Ordered by the Court that the Court adjourn

Robert Walker Esquire
Reporter
William Thomas Carroll
Clerk

Ordered that the adjournment of this day
the last continuance of this term
the Court for cause to make this adjournment
day of this term, further to adjourn
to-morrow morning

[illegible] James Taylor [illegible]

this Court that James Taylor administrator of, and James Taylor, Colin M. Tibbetts and Ann M. his wife, Lucy P. Williamson and Jane R. his wife, and Horatio P. Harris and Rebecah L. his wife heirs of said James Taylor dec? be and they are hereby substituted for the said James [illegible] and that they be [illegible] made the Plaintiffs in this cause.

[illegible]	The argument of this cause was continued by Mr. Brent for the plaintiffs in Error and by Mr. Bradley for the defendant in Error.
Alfred L. Lowry, Curatrix &c	

no[illegible] being made the Court is adjourned until Monday morning at Eleven O'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean
James M. Wayne
John Catron
John McKinley
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier

} Associate Justices

Roger B. Taney Esqr Chief Justice
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

Upon motion first made to the Court by the Attorney General that Gregory Yale Esquire of the District of Columbia be admitted as an Attorney and Counsellor of this Court he was duly [illegible]

[illegible]

12. (108)

John Reid, William Moore, James M. Campbell, Thomas Jennings, Jane E Ray, Duncan Ewing, William King, Absalom King and Absalom Swedicker.

[illegible]

it is hereby affirmed with costs

[illegible]

Reading Summons Issued 1877

James Cunn. Plff in Er vs Alfred & James Enoch's	The argument of this cause was continued by Mr Reading for the defendants in Error

Proclamation being made the Court is ad-
journed Sine die

Present & Presiding the Court and the Justices of the Circuit

Absent

The Honorable John McLean
James M Wayne
John Catron
John McKinley
Peter V Daniel
[illegible]
Levi Woodbury
Robert C. Grier

Associate Justices

Robert Wallace, Esquire Marshal
William Thomas Carroll, Clerk

Journal of the proceedings of the Court on yesterday read and approved.

James Dunn Appellant vs Alfred L Boyle et al Appellees	The argument of this cause was resumed by Mr Lowe for the defendant & was continued by Mr Sharpe for the plaintiff in error

Ordered that the Court do now adjourn until tomorrow morning at eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol

[illegible]

The Honorable [illegible]

[illegible]	
[illegible]	
[illegible]	
John McKinley	Assistants
Peter J. Wa[illegible]	
Samuel Nelson	
Levi Woodbury Jr	
Robert S. Gra[illegible]	

Robert Wallace Esquire Sheriff

[illegible]

Proclamation being made the Court is o[illegible]

On motion first made to the Court on the [illegible] day by the Judges. It is ordered that Solon [illegible] Marcell Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

---

pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
[illegible]
John McKinley Associate
[illegible]
[illegible]
Henry Baldwin
Robert Trimble

Robert Wallace Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court

Upon motion first made to the Court in the behalf of Mr Underwood it is ordered that J. B. Thornhead Esquire of Kentucky be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

---

On motion first made & the Court on the behalf by Mr Patton It is ordered that H M Patrick Esquire of Pensacola be admitted to practice as an Attorney and Counsellor of this Court and he was thereupon accordingly

Bridget McLaughlin Libl
vs
The Lords of Palermo et al

On motion from the bench of this Court leave is granted to the Libellant to amend her Libel herein in and for the County of Escambia

This cause coming on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Florida holden at and for the County of Escambia and upon argument by Counsel for respective parties It is ordered adjudged and decreed by this Court that the decree of the said Circuit Court in the cause be and the same is hereby affirmed and that

for the Libellant
Costing Two Dollars.

Thursday January 16th 1840 Continued

The argument either way was commenced by Sir Thorpe Hoad for the Crown and by Messrs Edmunds and Evans for the Prisoner

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock

Thomas D. Lowe [illegible] pff in Er. v. William Lowe & ux	The proceedings of the Inferior Court of Jefferson in the above stated cause were this day argued by the counsel for the plaintiff in error and submitted to the Court for their decision. And on consideration whereof the said Court are of opinion that there is no error in the said proceedings and with the assent of the Justices of this Court for the defendants in error. It is therefore ordered by the Court that the same be affirmed for the present.

Reynold Smith [illegible] pff in Er. v. William Lowe & ux	The argument of this cause was this day resumed by the Judges of this Court for the purpose of pronouncing their opinion thereon.

William Crawford & al pl. Jeffn in Er. Branch Bank of Alabama	Writ of Error to the Inferior Court of Jefferson County. This cause came on to be heard on the transcript of the record and was argued by counsel. On consideration whereof it is the opinion of this Court that there is no error in the proceedings and judgment in the said Inferior Court in favor of the plaintiffs in error as appears of record. It is therefore considered by the Court that the judgment of the said Inferior Court be affirmed with costs.

[illegible]

[illegible] made the Decree aforesaid
until Tuesday the [illegible]

Monday [illegible]

[illegible] adjourned the Court until [illegible]

[illegible]

The Honorable [illegible]

[illegible]
James H. Dunn
John Dalton
[illegible]
[illegible]
[illegible]
Wm Washburn
Robert E. Price

[illegible]

Robert Wallace Esquire Sheriff
William Thomas Coroner [illegible]

Proclamation being made the Court is declared

Reginald Smith Esquire	[illegible]
&	
William Hunter Treasurer &c	[illegible]

Proclamation being made the Court is adjourned
until [illegible]

Tuesday January 16th 1810

[illegible]

Present

The Honorable John McLean
James Mc Kaye
John Catron
John Mc Kinley
Peter V. Daniel
Samuel Nelson
Henry Baldwin
Robert C Grier

Associate Justices

Robert Wallace Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

Motion & Order that [illegible]	To appear for the Defendant
vs	
William M. Goodrich	

25

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by Counsel

On consideration whereof It is now here ordered adjudged by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

[illegible]

Circuit Court of the United States for the Southern District of Alabama	[illegible] Court of the United States for the Southern District of Alabama
42. Thomas C. Cunningham & Co. Appellants vs Joseph Hernandez	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and was argued by Counsel. On consideration whereof, It is now ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had in pursuance [illegible]

[illegible]

1st day January 16th 1826 Continued

220.	Thompson & al. Appt vs John Perkins	This cause was argued by Messrs. Dunn & Graves for the appellee, and [illegible]

[illegible]

218.	New Jersey Steam Navigation Co. vs Appt Jonathan P. Hall	On motion of Mr Webster (Mr Gen. Smith of Counsel) for the appellee. It was ordered by the Court that the Clerk do forthwith issue the Mandate in this case.

Proclamation being made the Court is adjourned to tomorrow morning at eleven O'Clock.

[illegible]

The Honorable [illegible]

[illegible]

Robert Wallace Esquire [illegible]

William Thomas Carroll Esq

[illegible]

Upon motion [illegible]

Mr. Justice Lamont

Robert Lemmon Esq and Robert Lemmon	The Counsel for the defendants having applied this day for Robert Lemmon one of the defendants since the last term to be at liberty to enter the appearance of William and Sarah E. Lemmon executors of the last will & Testament of the said Robert Lemmon dec'd and to make them parties and defendants - On consideration whereof it is now here ordered by this Court that the same be hereby granted and that said William and Sarah E. Lemmon be and they are hereby made parties and defendants in this cause

Ebenezer Irving & al vs Samuel Wilson	The argument of this cause was commenced by Sir Jas. for the plaintiffs in Error and [illegible]

decided in said Court against the Defendant. The Court doth therefore order and adjudge by this Court that the judgment of the said Court in this cause be and the same is hereby revoked with costs, and that this cause be and the same is hereby remanded to the said Court with directions to that Court to enter judgment in this cause for both Plaintiff and Defendant in said Court.

Mr Lewis Wayne

	Thomas Jones vs.	The argument of this cause was
25	Pltff in Err.	continued by Mr Rogers for the
	Reuben Wells	Defendant in Error and concluded
		by Mr Thomas Sumter for the Plain
		tiff in Error

	Thos & Bates	The argument of this cause
26	Pltff in Err.	commenced by Mr Rogers for
	William Lord Jnr	the Plaintiff in Error

Information being made the Court is adjourned until tomorrow morning at eleven O'Clock.

Friday January 19th 1849

Present & presiding the Court pro tem

as at the Adjournment

The Honorable	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Robert Walker Esqr Solicitor

William Thomas Carroll Clerk

Tuesday, being a day, the Court is adjourned

Thomas Harrison and Edward Carlton appellants	In error to the District Court of the State of Louisiana
vs	
John Clark late Sheriff of the State of Louisiana	This cause came on to be heard on the transcript of the record from the district court of the State of Louisiana and was argued by Counsel - On consideration whereof, it is

the judgment of the said [illegible] be and the same is [illegible]

In a divided Court—

Present Chief Justice Fauntleroy and part Lile in the

cause.—

Samuel A. Bigelow's Exr. &c. of Thos. Pleasants dec'd

defendant in Error

vs.

Wm. Leigh & al.

plaintiffs in Error

This Court proceeding now to pronounce its opinion in this cause, and having maturely considered the premises, are of opinion, that there is no error in the judgment aforesaid.

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(125)

Friday - January 1st 1875

Kings Co Supreme Court Wilson Reed Pltf vs Wilson Reed Deft	The argument of this motion was continued by Mr Lee of Counsel for the Plaintiff in Error.
Jeremiah M. Ryderburgh Pltf in Er vs King & Reed Deft	Mr Lee of Counsel for the defendant in Error moved the dismissal of this cause for want of jurisdiction. Whereupon the Court being now sufficiently advised of and concerning what order to make in the premises doth order and decree.

Proclamation being made the Court is adjourned until Monday morning at eleven O'clock.

Monday January 2nd 1826 Continued

Eleazer P. Tucker Jeffries (Pl)	Decree of Court continued by the Court
William Lindsell & al	and for the plaintiff is continued by Mr. Lindsell for the

Proclamation being made the Court is ad-
[illegible]

Tuesday January 23d 1810 Continued

35

Thomas P. Barton Esqr vs	The Jurors impannelled to try the issue
24.	joined between the parties
William Read & al.	for the defendants
	appear and answer to their

Q. Inquiries for the Plaintiffs in

Proclamation being made the Court is

[illegible] and the complainants in this cause [illegible] moved the Court for an order directing their [illegible] cause to be entered. On consideration whereof and with the assent of the Counsel of the defendants, it is [illegible] that the said persons be named in the said relation be and they are hereby made [illegible] and the complainants in the cause in this Court.

Duncan McArthur's heirs [illegible] Heirs Daniel Morris	On a certificate of [illegible] of this Court and [illegible] Court [illegible]

This cause came on to be heard on the [illegible] of the record from the Circuit Court of the United States for the District of Ohio and on the point and question on which the Judges of said Circuit Court were opposed in opinion and which was certified to this Court for their opinion agreeably to the act of Congress in such case made and provided and was argued by Counsel. On consideration whereof it is [illegible] that the [illegible] Act of Congress entitled "An Act [illegible] locations and [illegible] of the land in question in

1844 Wednesday January Term of this Court

the same of Law Fifteen and the Judgment
& pass for the sum as mentioned in the writ
part of division are null and void, as being made
and done in contravention of the proviso to the 2d
Sect. of the act of Congress of the 28 of June
1838 entitled an act extending the time
for bringing writs of Error and appeals
& giving relief in certain cases
Whereby it is provided and en-
acted by the said Act to be void and of
the said Circuit Court -

Per Curiam Cause

21.	Wm D Watkins exr &c Plff in Er vs Malbon Hobson	The Judgment of this Court was Reversed by the Court for the Plaintiff in Error & Remanded by the Mandate of the defendant in Error and Cause dismissed by Mr Poole for the plaintiff in Error
20	C. D. Bourniquet & al Plff vs John Tabor	This cause was dismissed by the Court on motion of Mr Poole Counsel for the plaintiff in Error whereupon it is ordered by the Court that the Judgment of this Court be affirmed with Costs & Damages at the rate of Five per Cent

Thursday January 25th 1849

Ordered to adjourn until the Court meet this morning at the Capitol.

Present

The Honorable John McLean
James M. Wayne
John Catron
John McKinley
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier

Associate Justices

Robert Wallace Esquire Clerk
William Thomas Carroll Esq.

Proclamation being made the Court is adjourned.

Edmund Winston Esq. admitted an Attorney of this Court

Ordered that the Court do adjourn until 11 o'clock tomorrow morning at the Capitol.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John McLean
James M. Mason
John McKinley
[illegible]
[illegible]
Jon Wirt
Robert C. Weir

Associate Justices

Robert Walker, Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion [illegible] made to the Court in this behalf by Mr. Ashmun. It is ordered that Daniel [illegible] of the counsel of the defendants be admitted to practice as an attorney and counsellor of this Court and to [illegible]

On motion [illegible] made to the Court in this behalf by Mr. Key it is ordered that Timothy Pickering and James H. Piper Esquires of the City of [illegible]

[illegible] and [illegible] and
and they were severally sworn accordingly.

On motion [illegible] made to the Court in this behalf
by Mr Hall. It is ordered that Henry St. Dandridge
Esqr of Massachusetts be admitted to practice as an
attorney and Counsellor of this Court, and he was
[illegible]

Jeremiah M Sizedenbach &	In Error to the Court of
Johnson Sizedenbach	Error and Appeals of the
1819 Sept.	September	State of New York
[illegible]	[illegible]

[illegible] the transcript of the record of the Court of Errors and Appeals
of the State of New York and the motion of
Mr. Hall of Counsel for the defendants in error
to dismiss this writ of Error for the want of jurisdiction: On consideration whereof, It is ordered
adjudged and decreed by this Court that the
writ of error in this cause be and the same is hereby dismissed for
the want of jurisdiction.

1852 Indian Tuesday 24th Feb. Continued

Samuel A. Sharpless Executor of Richard Cadwallader Sharpless and John Sharpless Senior	In Error to the Court of Common Pleas of the City of Philadelphia
vs.	
Thomas Fitler Executor of the Last Will and Testament of Henry Pratt deceased	

This cause coming on to be heard on the transcript of the record of the Court of Common Pleas of the City of Philadelphia and on the motion of Mr Cox of Counsel for the Defendant in Error to dismiss the writ of error for the want of jurisdiction. On consideration whereof it is now here ordered and adjudged by this Court that the cause be and the same is hereby dismissed for the want of jurisdiction.

Per Curiam

William Crawford et al Executors of Thomas Fitler deceased	This cause coming on to be heard on the transcript of the record of the Court of Common Pleas of the City of Philadelphia and on motion of Mr Cox of Counsel for the Defendant in Error
vs.	
The Bank of Pittsburgh	

Patrick Lamon vs
of
John Lehan

The parties to the
this case for the ac
of Garnishee was
argued by Counsel
on the first Monday and on this day the
Court took time to
consider

Whereupon came the Plaintiff by his Attorney and
with Leave of the Court

[illegible]

Present

[illegible]

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

} absent

[illegible]

[illegible]

On motion first read & the Court on the Petition of the Select [illegible] that [illegible] Court of Pleas & Quarter Sessions of this County be abolished & practice in all Offences cognizable by the said Court be transferred accordingly

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[illegible]	The argument of the cause was continued by the Court until tomorrow morning.
Charles Wilkes - pltff in Er vs Samuel Dinsman	The argument of the cause was continued by the Court for the defendant in Error and by Mr [illegible] for the plaintiff in Error.

Proclamations were made the Court adjourned until tomorrow Morning at three O'Clock

On appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky and was argued by Counsel On consideration whereof, It is now here ordered and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this Court delivered

at this present Term.

Charles Miller appellant
vs
Samuel C. [illegible]

The argument of this cause was continued by Mr Penn for the plaintiff in error

---

Eli P. Sheppard appellant
vs
[illegible]

The argument of this cause was [illegible]

[illegible] the day the Court is adjourned until [illegible] morning at eleven O'Clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

[illegible]

[illegible]

[illegible]

[illegible]

Edmund L. Adams et al vs Geo. W. Merrill, Admr. &c	The argument of this cause was continued by the Counsel for the Defendants, and the Court will hear the argument

Miscellaneous Docket

Edmund Adams et al
vs
George W. Merrill, Admr. &c

Pursuant to adjournment the Court met this morning at the usual hour

Present

The Honorable John W. McLean
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

Associate Justices

Walter Evans Clerk
Henry Clay Deputy Clerk

Proclamation being made the Court is opened.

James Erwin - Plff in Er.	In Error to the Circuit
vs.	Court for the District
Alfred I. Lowry, Executor of	Court of Arkansas
[illegible]	

The same coming on to be heard on the transcript of the record of the Supreme Court for the District of Arkansas and [illegible]

[illegible] It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed and set aside and that the cause be and the same is hereby remanded to the said Supreme Court with directions to proceed therein in conformity to the opinion of this Court

per Curiam Law Latin

Dissenting Mr. Justice Evans & Mr. Justice Mayfield.

William Crumpton and David Fales - Appellants vs The Branch of the Bank of the State of Alabama at Mobile	In error to the Supreme Court of the State of State of Alabama.

This cause coming on to be heard on the transcript of the record of the Supreme Court of the State of Alabama and on the motion for the Law of Error of the defendant in error to dismiss the writ of error for the want of jurisdiction. On consideration thereof, It is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed at the cost of the [illegible]

per Curiam [illegible]

[illegible]

Present

Mr Kennedy — John McLean
James McMagne
John Calvin
John McKinney — Assistant
Peter V Daniel — Justices
[illegible]
Jesse Woodson
Robert L Crews

Robert Mallory Esquire [illegible]
[illegible]

[illegible] being [illegible]

[illegible] on the [illegible] by the [illegible] [illegible] [illegible]

1893. Friday February 24th Chicago

The United States Circuit Court
vs
The City of Chicago.

This cause came on to be heard on the transcript of the record of the Circuit Court of the United States for the Northern District of Illinois and on the motion of counsel for the plaintiff in error and counsel for defendant in error and it appearing to the Court from the record that the defendant in error filed its bill of complaint in this cause on the 20th day of December A.D. 1892 and that on the same day a subpoena issued thereon returnable on the first Monday of January A.D. 1893 and that on the 30th day of December A.D. 1892 the defendant in error entered its appearance herein and that on the 3rd day of January A.D. 1893 the plaintiff in error filed its motion to dismiss the bill of complaint herein and the Court having heard the arguments of counsel and being fully advised in the premises doth order that the motion to dismiss the bill of complaint be and the same is hereby overruled to which ruling of the Court the plaintiff in error excepts and prays an appeal to the Supreme Court of the United States which is allowed upon the plaintiff in error giving a bond in the sum of Five Hundred Dollars with sureties to be approved by the Court conditioned according to law and it is further ordered that the plaintiff in error have thirty days from this date in which to file its bill of exceptions herein and sixty days in which to file the record in the Supreme Court of the United States.

[illegible] embarred by said Act to [illegible]
so as to authorize said Isle of Thanet to [illegible]
said Straits again. Motion put & [illegible]
and agreed by this Court that it be [illegible]
to the said Council [illegible]

[illegible]

Dispensing Ord. Lus. Gal.

Sir Charles Blake Bart vs Lord Viscount Exmouth	[illegible] was argued by Mr Pinder in behalf of the Plaintiff & by Mr [illegible] Attorney General in opposition thereto
John L. Hawkins et al vs Guy Worrell assignee &c	The argument of this cause was continued on the part of the Defendants for the appellants.

Proclamation being made the Court is adjourned until Monday morning at eleven o'Clock.

1795 Monday February 5th 1795

of New Hampshire and was argued by Counsel. On consideration whereof, It is ordered, and adjudged by this Court that the judgment of said Superior Court of Judicature be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum

per Curiam

Abraham Cutts - Plff in Er. | In Error to the [illegible]

---

on to be heard on the transcript of the record of the Superior Court of Judicature of the State of New Hampshire and was argued by Counsel. On consideration whereof, It is ordered and adjudged by this Court that the judgment of the said Superior Court of Judicature in this cause be and the same is hereby affirmed with costs and damages at the rate of [illegible]

per Curiam

Ordered to dispense the Court at [illegible]
ions at the Capitol

Present

The Honorable John McLean
James M. Wayne
[illegible]
[illegible]
[illegible]
Levi Woodbury
Robert C. Grier

Robert Wallace Clerk pro tem
William Thomas Carroll Esq. [illegible]

[illegible]

[illegible]	[illegible]
Samuel P. Person and	[illegible]
Hamlet Jane Pennington	Court of the United States
[illegible]	for the District of Louisiana
[illegible]	[illegible]
[illegible]	[illegible]

to be heard on the Transcript of the record from the District Court of the United States for the District of Louisiana and pro[illegible]

Pursuant to adjournment the Court met this day at the Capitol

Present

The Honorable [illegible]

[illegible]

Robert [illegible]
William [illegible]

Investigation being made by the Court

On motion first made by the Counsel on behalf by said Lewis. It is ordered that C. Blaine Esquire of Virginia be admitted as an Attorney and Counsellor of this Court and he took [illegible]

James Morris plaintiff in error v The City of Boston	In Error to the Supreme Judicial Court of Massachusetts.

This cause came on to be heard on the transcript of the record of the Supreme Judicial Court of Massachusetts, and was argued by Counsel, On consideration whereof It is the opinion of this Court that the third section of the act of the Legislature of the Commonwealth of Massachusetts of the 20th of April 1837, entitled "An act [illegible] under which the money mentioned in the record and proceedings was demanded of the plaintiff in error and paid by him is repugnant to the constitution and laws of the United States and therefore void and inoperative for which reason it is the opinion of this Court that the judgment of the said Supreme Judicial Court of Massachusetts in the same is hereby reversed with cost and that the cause be and the same is hereby remanded to the said Supreme Judicial Court with a direction that further proceedings may be had therein in conformity to the opinion and judgment of this Court.

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

George Smith, Sheriff &c. &c. pltf in error

William Turner Defendant in error

In error to the Court for the Trial of Impeachments and the Correction of the Error of the State of New York

This cause came on to be heard on the transcript of the record of the Court for the Trial of Impeachments, and the Correction of Errors of the State of New York, and argued by Counsel - On consideration whereof it is the opinion of this Court, that the Court for the Trial of Impeachments and the Correction of Errors of the State of New York, by whom the Treasurer of the City of New York is ordered and directed to receive from the master of every vessel from a foreign port that should arrive in the port of New York after the time of the receipt of the said Treasurer, [illegible] [illegible] [illegible]

and ordered by the Court that the judgment of the said Court for the trial of impeachments and the correction of errors be and the same is hereby reversed with costs and that this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Court for the trial of impeachments and the correction of errors in order that further proceedings may be had therein in conformity to the aforesaid opinion and judgment of this Court.

Gamble	for the Sup. Ct.	
Wm. B. Napton	" "	Marye
Scott	" "	Ashton
Nelson	" "	McKinney &
"	" "	Grier

Proclamation being made the Court is adjourned until tomorrow morning at seven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol. —

Present

The Honorable Roger B. Taney Chief Justice.

James M. Wayne
John Catron
John McKinley
P. V. Daniel
Peter V. Daniel
Levi Woodbury
Robert C. Grier

Associate Justices

Robert Mercer Thomas Grattan
Walter Jones of Counsel Admitted

Proclamation being made the Court is adjourned

On motion first made to the Court on this behalf by Mr Ewing. It is ordered that Charles Mason Esquire of Iowa be admitted to practice as an Attorney and Counsellor of this Court and he was admitted accordingly. —

1845 — It is thereupon now here ordered and decreed by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

By Mr Justice Wadsworth

Mr. Chief Justice Parris did not sit in this cause, being indisposed at the time it was argued. —

State Bank of Alabama vs Wm. H. Craig	The Stipulation of the respective Counsel having been filed in this cause to continue the same — It is thereupon on the motion of Mr Gaither & Mr Chilton on behalf of the said Counsel respectively, now here ordered by the Court that this cause be and the same is hereby continued to the next term.

Samuel Pate et al vs Wm. Turner, Jun.	The Stipulation of the Counsel of the respective parties having been filed in this cause — It is thereupon ordered by the Court that the said cause be and the same is hereby continued to the next term.

[illegible]

[illegible]	[illegible]

[illegible]

[illegible]	The Solicitor of the [illegible]

[illegible]

Sept. Friday February 9th 1816 Continued

Alex Wood vs. Jesse Green	The consideration of the mo
vs	tion filed by Mr Green
John D. Emerson	in this cause was com
	menced on the 6th

appt March, and continued by Messrs Morgan and Wood Johnson against the motion

Samuel Henderson vs.	The consideration of
vs	the motion filed by
Jesse & the State of Tennessee	Mr Green & Counsel for
	the plaintiff in Error

arising in a cause of this case. It is ordered by this Court that the said motion be and the same is hereby overruled.

Proclamation being made this Court is adjourned until Monday Morning at eleven O'clock

pursuant to adjournment the Court met this
morning at the Capitol

Present

Hon Ranald | Roger B. Taney | Chief Justice
| [illegible]
| James M. Wayne
| [illegible]
| [illegible]
| Peter V. Daniel | Justices
| Samuel Nelson
| [illegible]
| Robert C. Grier

Robert Wallace Esquire Marshal
William Thomas Carroll Clerk

[illegible] being made the [illegible]

[illegible] | [illegible]
[illegible] | [illegible]
31 [illegible] | [illegible]
[illegible] | [illegible]

[illegible]

Northern District of [illegible] and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs. —

In a divided Court

Mr. Chief Just. Taney being indisposed did not sit in the cause.

[illegible] vs. [illegible]	The appeal in this cause was made by the Counsel for the Claimant

Nathaniel Lord [illegible] vs. [illegible]	It is now here ordered by this Court that the decree in this cause be and the same is hereby reversed & this cause is remanded to the District Court with directions to enter a decree in favor of the libellant for the amount of the bond sued on in this cause with interest thereon at the rate of six per cent per annum from the date of the bond and for costs of suit.

924

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Alabama and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs. —

The Case of ...	The arguments of the ...
...	...
...	...

... the case ... the ...
... the ... of ...

Tuesday February 18th 1840.

pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable [illegible] Chief Justice.

[illegible]

[illegible]

[illegible]

The United States appellants
vs
[illegible] Circuit Court
[illegible]

The cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the

State of Louisiana and was argued by Counsel On consideration whereof, It is now here ordered and adjudged by this Court that the [illegible] of the said Circuit Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the said Circuit Court with direction, that that Court issue a writ of [illegible] for the United States for the [illegible] directed in their petition.

On Mot. of Defendants Counsel

Depelchin - Mr Justice M'Kinley
" - Moore
" " M'Lean
" Story

Hezekiah Smith - Jeffries &c.
vs.
William Hunter, Treasurer of Butler County & al Commissioners, Auditor of Butler County & al Plaintiffs in Error

In Error to the Circuit Court of the State of Ohio

This cause came on to be heard on the transcript of the record of the Supreme Court of the State of Ohio and was argued by Counsel On consideration whereof and it appearing to this Court here for

a complete of the transcript of the record that the is nothing upon it to give this Court jurisdiction in the case. It is therefore now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice.

The Chicago Rock Island & Pacific Railway Company, Appellant, vs. Henry Turner et al.	On motion of Mr. [illegible] counsel for the appellee on a prior day of this Court it is ordered by the Court that the appellant do file herein a certified transcript of the record of this cause on or before the first day of the next term of this Court, or that the appeal herein be dismissed with costs. And now on this day, to wit, on the first day of the present term of this Court, the said appellant has failed to file herein a certified transcript of the record of this cause. It is now here ordered by the Court that the said motion be and the same is hereby granted.
The State of Iowa, Appellant, vs. The State of Iowa.	The argument of this cause was commenced by Mr. [illegible] for the appellant.

On motion filed in the Court for this behalf by Mr. [illegible] it is ordered that W. R. Smith, Esquire, of Tennessee, be admitted to practice as an attorney and [illegible]

seller of this Court and he was sworn according

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable [illegible] Chief Justice

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] Associate Justices

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] Esqr. Marshal

[illegible] Esqr. Clerk

Proclamation being made the Court is opened.

On motion [illegible] made to the Court on the behalf of the [illegible] it is ordered that Charles C. Cromwell Esquire of New York be admitted to practice as an attorney and Counsellor of this Court and he was accordingly [illegible]

On motion first made to the Court on the behalf

by Mr. Attorney General. It is ordered that Thomas [illegible] Esqr. Sergeant at Law do be admitted to practice as an Attorney and Solicitor of this Court and [illegible]

Cornelius O'Sullivan v William Ellis and William Ellis Junr	Mr. Attorney General moved on the part of the plaintiff on the Crown side of this Court for leave to file and serve a Rule on the Executors of the Honble Spencer Perceval late one of his Majesty's Principal Secretaries of State to shew cause why a Writ of Mandamus should not issue directed to the said Executors commanding them to cause to be delivered to the said Cornelius O'Sullivan the Books Papers and Documents in the said Spencer Perceval's possession relating to the Office of Secretary of State for the Home Department which the said Cornelius O'Sullivan claims to be entitled to as Deputy to the said Spencer Perceval in the said Office and which the said Executors refuse to deliver to him.

The Earl of [illegible] v The Earl of [illegible]	The Cause was called on and [illegible] for the Complainant and Mr. Pearson for the Defendant

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[illegible]

Sunday a representative list was published

Ordered

In Council Present Chief Justice

Mr. Justice
Mr. Justice
Mr. Justice
Mr. Justice
Mr. Justice
Mr. Justice
Mr. Justice
Mr. Justice
Mr. Justice

absent

His Honour Hon. Mr.
Mr. Justice

Ordered that

On reading the petition of the Justices
of the Peace for the County of Carleton
praying for an Order of Council to appoint a place
for the Sessions of the Peace and Quarter Sessions of the County
and for other purposes therein mentioned

Thursday January 2nd 1800 Continued. 1800

On motion first made to the Court on this behalf by Mr. Quincy - It is ordered that Daniel Lee Esq. one of the Attorneys of this Court be admitted to practice as an Attorney and Counsellor of this Court and to have rank accordingly

The State of Missouri - Complt. / vs	The argument of this cause was continued to
The State of Lord Rickt	Messrs. Mason & Lee for the Pl.

Proclamation being made the Court is adjourned to tomorrow morning at 10 O'Clock

Friday 4th February 16th 1819.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice

John McLean
James M. Wayne
John Catron
John McKinley
[illegible] Associate Justices
[illegible]
[illegible]
[illegible]

Robert Wallace Esquire, Marshal
William [illegible] Esquire Clerk

Proclamation being made the Court is opened

Charles Wilkes Appellant vs [illegible]	In Error to the Circuit Court of the United States for the District of Columbia for the County of Washington

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the District of Columbia
and for the County of Washington and were argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said District Court with directions to award a venire facias de novo and to proceed therein according to the opinion of this Court.

Jn. M. Wilson Clerk

Appeal from the Supreme Court of the District of Columbia.	On motion of Mr. Thomas Ferguson of counsel for the appellee, it is ordered by the Court that the appeal in this cause be and the same is hereby dismissed with costs.
Thomas Ferguson for appellee.	
Jeremiah Black for appellant.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the

United States for the District of Michigan and
the point and question on which the Judges of the
said Circuit Court were opposed in opinion
and which was certified to the said Court
to be decided by it the act of Congress in
such case made and provided and was argued
by counsel on consideration whereof it is
the opinion of this Court that the Banking
Association organized under the act of the
Legislature of the State of Michigan entitled
"an act to incorporate and regulate Banking
Companies" approved March 28th 1837 and
the amended act entitled "an act to regulate
Banking Associations and for other purposes"
approved December 14th 1838 in this cause
is duly organized within the meaning of the
Constitution of the State of Michigan and
the Laws made in pursuance thereof and
that the said Association was
authorized and empowered by the
Laws aforesaid to institute and prosecute
this suit in its corporate name and style
in the Court below and to maintain the same
in this Court by appeal

[illegible]	[illegible]

[illegible] of the present term of this Court it is ordered by the Court that the said [illegible] be and the same is hereby [illegible]

[illegible]	[illegible]

[illegible] the Court it is ordered that the said [illegible] dismissing the writ of error heretofore [illegible] in this cause be and the same is hereby [illegible] the said [illegible] presented [illegible] this Court and [illegible] sufficiently [illegible] of the [illegible] ordered it [illegible] the present [illegible]

1825. Friday February 25th Continued

	The Court for Reform &c vs Emerson	On consideration of the motion made by Mr Cook in this cause on a former day of this Court, to wit, on Friday the 15th December last, to annul the order made by this Court in this cause on the 14th March 1818 and to enter judgment in this cause and after the arguments of Counsel there- upon had as well in support of as against the said motion — It is now here ordered by this Court that the said motion be and the same is hereby refused
215	Saunders & Lawrence vs Jeffs in Er. Gilbert Gibbs & al	On consideration of the motion made in this cause on a former day of the present term of this Court to wit, on Wednesday the 23rd instant by the Attorney General for leave to argue this cause at the bar of this Court — It is now here ordered by this Court that the leave prayed for be and the same is hereby granted —

Journal of adjournment the Court, one thousand
eight hundred and forty four

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
John Catron
John McKinley
Peter V. Daniel
[illegible]
Levi Woodbury
Robert C. Grier
Associate Justices

And Walter Jones Esquire
William Thomas Carroll Clerk

Ordered that leave be granted the Court to adjourn

On motion first made to the Court on behalf of Mr. A. J. Dallas. It is ordered that A. J. Dallas Esquire of South Carolina be admitted to practice as an Attorney and Counsellor of this Court and he takes the oath

[illegible]

[illegible]

[illegible]

[illegible] ing at the Capitol.

Present

The Honorable Roger B Taney Chief Justice
John McLean
James M. Wayne
John Catron
[illegible] Associate
Peter V. Daniel Justices
[illegible]
John Nelson
Robert C. Grier

Robert Wallace Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamations being made the Court is opened.

On motion first made to the Court in this behalf by Mr [illegible] Counsel [illegible] Esquire of Counsellor at Law of the State of New York it is ordered & admitted as an Attorney and Counsellor of this Court, and they were [illegible]

William O'Donnell et al.	for Error to the Circuit
Appellants	Court of the United States
37	for the District of Ohio.
vs.	
Matthew Quinn.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Ohio and was argued by Counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same hereby is reversed with costs and that this cause be and the same hereby is remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

Mr. J. [illegible]
for the Appellants
Mr. [illegible]
for the Appellee

Caroline [illegible]	[illegible]
38	by [illegible]
[illegible]	[illegible]

[illegible]

Present the Chancellor

The Master of the Rolls

Vice Chancellor Sir J. Parker

Vice Chancellor Sir W. Page Wood

Vice Chancellor Sir R. T. Kindersley

Robert Wallace Esquire Barrister

William Thomas Carrick Clerk

Upon the Motion of Mr. Swanston of Counsel

The Question first proposed to the Court on the Petition of the Attorney General. It is ordered that the Petition of the Attorney General for the Decree be dismissed with Costs.

Wednesday February 22nd 1933

Timothy L. Tran... Appellant
vs.
Jane Wells

The Defendant having appealed to this Court from a judgment rendered against him on the ... day of ... in favor of the Plaintiff in the Justice Court of ... Precinct ... County, Texas, and the Defendant having failed to prosecute his said appeal, but having suffered the same to be dismissed by the Court for want of prosecution, it is therefore considered, ordered and adjudged by the Court that the appeal be dismissed and that the Plaintiff recover of the Defendant all costs in this behalf expended and that execution issue therefor.

Came on to be heard the ... day of ... A.D. 1933 the ... Court ... Texas

The cause was tried by the Court without a jury, whereupon all announced ready for trial, and the Court having heard the evidence and argument of counsel, is of opinion that the Plaintiff is entitled to recover of the Defendant the sum of ... Dollars and ... Cents, with interest thereon at the rate of ... per cent per annum from the ... day of ... A.D. 1933 until paid, and all costs of suit.

It is therefore considered, ordered and adjudged by the Court that the Plaintiff do have and recover of the Defendant the said sum of ... Dollars and ... Cents, with interest thereon as aforesaid, and all costs of suit, for which let execution issue.

Came on to be heard the ... day of ... A.D. 1933 the ... Court ... Texas

The cause was tried by the Court without a jury, whereupon all announced ready for trial, and the Court having heard the evidence and argument of counsel, is of opinion that the Plaintiff is entitled to recover of the Defendant the sum of ... Dollars and ... Cents, with interest thereon at the rate of ... per cent per annum from the ... day of ... A.D. 1933 until paid, and all costs of suit.

It is therefore considered, ordered and adjudged by the Court that the Plaintiff do have and recover of the Defendant the said sum of ... Dollars and ... Cents, with interest thereon as aforesaid, and all costs of suit, for which let execution issue.

[illegible]

Present

Pre Honorable [illegible] Esqr Chief Justice

[illegible]
[illegible]
[illegible]
John McVean
John McDonald
Peter McCamis
[illegible]
[illegible]
Robert A Crier

Assistant Justices

Robert Mallace Esquire Attorney
Mallace Esquire Clerk

No Execution being made the Court is opened

Upon motion prayed granted to the Attorney for Thomas Russell Wade & it is ordered that John L. Manchester Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was accordingly [illegible]

1	[illegible]	[illegible]
2	[illegible]	[illegible]
3	[illegible]	[illegible]
4	[illegible]	[illegible]
5	[illegible]	[illegible]

Court to be adjourned the Court met this morning at the Capitol.

Present

The Honorable Fayette L. Posey Chief Justice
John McKee
James M. Wayne
John Catron
John McKinley
[illegible]
[illegible]
[illegible]

Robert Wallace Esqr Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

[illegible]	The argument of this cause was continued by Daniel Lawrence Esqr for the defendant and concluded by Jno Law for the plaintiffs

Proclamation being made the Court is adjourned until [illegible]

Court to commence the hour over the
[illegible]

Court

[illegible]

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

Clerk of the Courts

[illegible]
[illegible]

[illegible]

[illegible]	[illegible]

[illegible]

[illegible]

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

[illegible] at the Capitol

Present

The Honorable [illegible] Chief Justice

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Robert Mallam Esquire, Sheriff

William Thomas Lovell Clerk.

Proclamation being made the Court is opened

On motion [illegible] made to the Court by Peter Pindall [illegible] Esquire Counsellor at Law admitted to practice as an Attorney and Counsellor at the Court and he was [illegible]

On motion first made to the Court in this behalf by Mr Gillett - It is ordered that William Brandon Esquire of the District of Columbia be admitted to practice as an Attorney and Counsellor of this Court and he now produced and

Ambrose Waldens heirs Appts v Thomas Dudleys heirs Appl	Mr Rowland having filed a Stipulation of the respective Counsel to continue this cause

34

it is now here ordered by this Court that this cause be and the same is hereby continued to the next term of this Court -

Ambrose Waldens heirs Appts v Thomas Dudleys heirs Appl	Mr Morehead having filed a Stipulation of the respective Counsel to continue this cause

135

moved the Court to continue the same Whereupon it is now here ordered by this Court that this cause be and the same is hereby continued to the next term of this Court -

Wednesday February 2nd 1848 Sessions

Samuel Rogers Esq.	The expenses of the
vs.	removal of the Poor
Parish of Tilbury	of Tilbury

Order of Sessions made this day that the

9	The United States [illegible] vs [illegible] The Ex of [illegible]	It is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court and it is further ordered by the Court that it be set down for re argument on the 2d Tuesday of [illegible] next
10	Isaac Reed Survey of [illegible] pet in the [illegible]	It is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court and it is further ordered by the Court that it be set down for re argument on the 2d Tuesday of [illegible] next
11	[illegible] vs [illegible]	The argument of this cause was continued on motion of [illegible] for the [illegible]

[illegible] ordered by the Court that the [illegible]

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honble [illegible] Chief Justice and Justices

John McLean
James M. Wayne
John Catron
[illegible]
Peter V. Daniel
[illegible]
[illegible]
Robert C. Grier

Associate Justices

Robert Wallace Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court is the below by Mr. Geo. Lee Johnson. It is ordered that E. A. Hannegan Esquire of Indiana and [illegible] Esquire of [illegible] be admitted as Attorneys and Counsellors of this Court and they were severally sworn accordingly

On motion [illegible] of the Court on the
[illegible] by Mr. [illegible] that [illegible] Esquire
of [illegible] be admitted to practice as an Attorney
and Counsellor of this Court and he was sworn as
ordered.

On motion [illegible] of the Court on the
behalf of Mr. Webster. It is ordered that [illegible]
[illegible] Esquire of Massachusetts be admitted
to practice as an Attorney and Counsellor of this
Court and he was [illegible] accordingly.

On motion [illegible] of the Court on the
behalf of the Attorney General. It is ordered
that [illegible] Esquire [illegible] be admitted to
practice as an Attorney and Counsellor
of this Court and he was [illegible] accordingly.

On motion [illegible] of the Court on the behalf
of Mr. [illegible]. It is ordered that [illegible] Esquire
[illegible] be admitted to practice as an Attorney &
Counsellor of this Court and he was [illegible] accordingly.

On motion it was ordered by the Court on the motion of the Attorney General that Messrs. Ransom H. Gillet, Daniel Lord and Peter L. Voorhees Esqrs of New York be admitted to practice as Attorneys & Counsellors of this Court and that a certificate issue accordingly.

The Sutter Gold Mining Co vs Wilbur et al	On appeal from the District Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of California and was argued by Counsel. On consideration whereof it is the opinion of this Court that so much of the decree of the District Court from which the appeal was taken as directs that the appellees do pay to the appellants the rents and profits of the premises in controversy in the bill mentioned from the time of the entry of the decree of the said District Court pronounced on the 20th day of March A.D. 1855 until the delivery of the possession of the premises to the appellants be reversed and that the cause be remanded to the said District Court with instructions to enter a decree that the appellees do pay to the appellants the rents and profits of the premises in controversy from the time of the entry of the decree of the said District Court pronounced on the 20th day of March A.D. 1855 until the delivery of the possession of the premises to the appellants with interest thereon at the rate of seven per cent per annum from the time the said rents and profits accrued until paid and that the appellants recover their costs in this behalf expended and that the appellees pay to the appellants the costs of this appeal.

and to and became a surety personal, for the costs of prosecution in that case and that the office be and the same is hereby exempted for the want of possession. And that the costs be and the same is hereby awarded to the [illegible] and direction to issue execution in conformity to the opinion of the Court.

(Jas. Gilmour, Esq. Chairman)

Clerk.

The Justices were

In the following cases [illegible]

Elliot Wood & Wood	In favour of the [illegible]
vs Colonial Gas	Court gives [illegible]
Co	for the [illegible] Council
Costs [illegible]	Colonial

The Sergeant at Arms is for the office. [illegible] and now in the [illegible]

Police Office of Toronto.

Court House of the Police Office of Toronto

I [illegible] that of the [illegible] Court [illegible] [illegible]

closed in the cause whereon Daniel Clemm and John M. Byers are plaintiffs and Richard Coleman and Richard Coleman jr. are defendants in pursuance of

Leonard Nixon
vs
Isaac Coleman et al

The cause came on to be heard upon the bill answer exhibits depositions and proofs taken in the cause and upon the report of the Auditor to whom the cause was referred by the decree of the 4th day of March 1835 and no objections having been made to the said report but the same is confirmed and it appearing that the real estate of the said Isaac Coleman deceased in the bill mentioned is insufficient to pay his debts it is therefore ordered that the Trustees appointed by the said Isaac Coleman deceased in his last will and testament to sell the property mentioned in the proceedings in the cause do proceed to sell the same or such part thereof as may be sufficient to pay the debts of the said Isaac Coleman deceased and that the said Trustees do sell the said property at public sale or vendue in the town of Rockville in Montgomery county having given previous notice of the time and place of sale by advertisement in three of the most public newspapers printed in the City of Baltimore and that the said sale be made on the first Tuesday of the month of June next and that the said Trustees do report their proceedings in the premises to this Court with convenient speed and that the said Trustees do report to this Court what commissions they claim for their services in the premises and that the said Trustees do pay into the Treasury of this State the costs of this suit

that the Sheriff make sale of the premises and that he hold out the proceeds of the same
It is further ordered that the master pay over
to the plaintiff the amount of their debt and cost
and that he retain from the proceeds of
the sale the cost of the Suit, and that any
Surplus that may remain he pay into
Court to abide its order. And that execution
issue in the same form as in Courts
of Record. And this day came the defendants
by their Solicitor and prayed an appeal
from the final decree rendered in this cause
by the Supreme Court of the State
which is allowed and upon the defendants
entering into bond in the penalty of Two hundred dollars with
security to be approved by the Clerk of this Court. And
that the same be returned to the said term of the
said Court on Tuesday the 5th day of June
A.D. 1838.

On the petition of Wm Ray it is ordered
by the Court that the defendant Wm Ray pay
and satisfy the plaintiff Five hundred dollars
and one cent, the principal and interest of a judgment
and execution rendered by the Supreme Court of the State
in favor of the plaintiff against the defendant
and Wm Ray and Thomas Ray as
his securities

Hall Reuben [illegible] Appellant vs Weber Respondent	The Counsel moved the Court to dismiss this cause for the want of prosecution the Appellant not having filed his assignment of errors & the Court ordered the same to be dismissed with costs
Lake & Hunter [illegible] Appellants vs Terry Wright & Assignees &c.	The Clerk [illegible] the Court & ordered a decree in this cause of the first day of this term whereupon this Court proceeded to consider & pronounce the following decree [illegible]
Samuel Logan Appellant vs Archer & Dillon &c.	The arguments of this cause were continued by Mr Gilpin for the Appellees

2003 Friday March 2nd 1900 Continued

15	Court & Hall Vol. plffs in Cr vs Mayor &c Clonmel	The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr Campbell on behalf of the motion and by Mr Doyle contra

Further hearing was adjourned until Monday Morning at Eleven O'Clock.

[illegible]

[illegible]

[illegible]

[illegible]

The Chief Justice Taney announced to the Bar that the Court would adjourn over Tomorrow on account of the Inauguration.

The Court attended the Inauguration of Genl Zachary Taylor President of the United States.

Adjourned to Tuesday the 6th instant to meet at Eleven O'Clock.

Counsel

The Honorable [illegible] Judge

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

[illegible]

[illegible]

[illegible]

On motion [illegible] it is ordered that William D. Ely, Esquire of Connecticut and John Sherwood Esquire of New York be admitted to practice as Attorneys and Counsellors of this Court and they severally took the usual oath.

Cornelius W. Lawrence Plff in Er.	In Error to the Circuit Court of the United States for the Southern District of New York.
213 v.	
Robert Allen & Samuel L.	
Defts.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court of the United States for the Southern District of New York in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo and that the proceedings be conducted in conformity to the principles laid down

On Appeal from the
Circuit Court of the
United States for the
Eastern District of
Missouri.

vs.

No. 1 Cranch Term 1814

The Court is divided in opinion upon the question whether the Circuit Court of the United States for the Eastern District of Missouri had jurisdiction of the cause in which the judgment was rendered which is brought up by this writ of error, and therefore it is ordered that the said question be certified to the Supreme Court of the United States for their decision thereon.

Mr. Justice Washington delivered the opinion of the Court.

This cause was brought up by writ of error from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr. Justice Washington

On appeal from the
Circuit Court of the
United States for the
Eastern District of
Missouri.

vs.

No. 1 Cranch Term 1814

The Court is divided in opinion upon the question whether the Circuit Court of the United States for the Eastern District of Missouri had jurisdiction of the cause in which the judgment was rendered which is brought up by this writ of error, and therefore it is ordered that the said question be certified to the Supreme Court of the United States for their decision thereon.

Mr. Justice Washington delivered the opinion of the Court.

This cause was brought up by writ of error from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed and annulled, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr. Justice Washington

	Samuel Cooper Appt	The argument of the case
41	vs	was continued by Mr Cooper
	Nathaniel L Williams Resp	for the appellant
	William Hudson Appt	The case was submitted
42	vs	to the Court on the argument
	Eugene L Vernon	of Counsel on the part
		of the appellant

Nonsuit ordered, Motion made the Case
Court [illegible] of Error [illegible]

[illegible] to adjournment the Court proceeded to do business.

[illegible]

[illegible]

[illegible]	
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

[illegible]

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this [illegible] by Mr. Leonard. It is ordered that William [illegible] be admitted to practice as Attorneys and Counsellors of this Court [illegible]

On motion first made to the Court in this [illegible] by Lt. Greene. It is ordered that [illegible]

[illegible] and Counsellor of this court and [illegible] accordingly.

On motion [illegible] made to this Court in behalf of [illegible] it is ordered that George Gibbs Esqr of [illegible] be admitted to practice as an Attorney and Counsellor of this Court and he [illegible] accordingly.

On motion first made to this Court in this [illegible] of [illegible] it is ordered that Abraham Brown Esqr of Illinois be admitted to practice as an Attorney and Counsellor of this Court and he [illegible] accordingly.

[illegible] 33 [illegible] Term of this Court [illegible]

On [illegible] motion of the Court from which [illegible] of this question [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

Jeremiah M. Sturgis et al vs. Jeffs in Error	Mr Bryant moved the Court for a rehearing of the motion for a dismissal of the writ of error in this cause. Whereupon this Court not being now sufficiently advised of and concerning what order to make in the premises doth time to consider.

Benj. S. Shaw et al vs. John C. Page - Appt vs. John C. Page	On appeal from the Circuit Court of the United States for the District of Maine. This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine and was argued by Counsel - On consideration whereof it is now here ordered and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Mr Chief Justice

William S Sumner
vs
Jesse D Thomas Esqr
Chancellor of the
State of Mississippi
Thomas L Connelly and
Isaac Lyle & William
Kerr

In Chancery at the
City of Natchez in the
District of Mississippi

This cause came on
to be heard on the bill
exhibit of the record on
the former hearing of the cause when the
Supreme Court of Errors and Appeals
heard and reversed the decree of this
Court and remanded the cause with
directions that this Court should
proceed in conformity to the act of Congress
passed and approved on the 19th day of
February 1840 entitled "An act to
amend an act entitled an act to establish
the Supreme Court of the State of Mississippi
and to establish the Circuit Courts of the
United States for the said State" and
the Court having heard the arguments
of counsel and duly considered the
premises doth order adjudge and decree
that the bill of complainant be dismissed
with costs and that the defendants
recover of the complainant their
costs by them in this behalf expended
and have execution therefor

to be proceeded in according to Law.

Pr. Mr. Ch. Lus. Jones

15	[illegible]	The same case argued by Mr. Phillips for the defendant & Mr. [illegible] for the plaintiff & submitted to the Court by the Counsel on behalf of the plaintiff & defendant
16	Wm. Lewis, use of Nicholas Longworth, Pltff vs. Thos. Lewis, use of Thomas Broadwell, etc.	The same case argued by Mr. Pl. Lewis and Lewis for the defendant and submitted on a point argued by Mr. Wright for the plaintiff

Proclamation being made the Court adjourned until tomorrow morning at Ten O'Clock

Entered & copy of the Court on Tuesday
as of the last date

Present

The Honorable Lemuel P. Conrad Chief Justice
Levi Woodbury
Benj. R. Curtis
John McKinley
Peter V. Daniel
Samuel Nelson
John A. Campbell
Robert C. Grier

Absent
Justices

Edward Wallace Esquire Marshal
William Thomas Esquire Clerk

Proclamation having been made the Court is opened

On motion leave is granted to the Court to
be heard by Mr. Clifford. It is ordered
that John Carmichael Esquire of Penn-
sylvania be admitted to practice as an Ad-
vocate and Counsellor of this Court and thereupon
took the oath

Samuel Ames Clerk vs Andrew J Mahoney et al	The argument of the cause was resumed by Mr Clarke for the Complainant

Samuel Ames Complainant vs The State of Rhode Island	The cause having been regularly argued and submitted and it appearing that a decree was entered in the Supreme Court of the State of Rhode Island from which decree this appeal was taken and the Court having considered the same it is ordered adjudged and decreed by the Court that this cause be and the same is hereby dismissed at the cost of the Complainant under the 6th rule of this Court

Samuel Ames Clerk vs Caleb Ames et al	Mr Clarke of Counsel for the Appellant and with the assent of Mr Gray of Counsel for the Appellees - It is now here ordered by the Court that this cause be and the same is hereby continued at the present term of this Court

And on the last day of the Court it is adjourned until to-morrow morning at Eleven O'Clock

On motion first made in the Court in this behalf by Mr Grant It is ordered that R. Tallmadge Esquire of New York be admitted heretofore as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made in the Court in this behalf by Mr Grant It is ordered that Wm A Duer Esquire of Louisiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Israel Hugg & John M. Pendel vs. The Hope Insurance & Banking Co. of the City of New York	On a certificate of division of opinion between the Judges of the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and on the points and questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its

the equity of the case of Joseph is not
to be made out from and was entitled to
Dower notwithstanding & is the
opinion of this Court that the Jury find
that the said Joseph was a Freeholder and
with the assent of the Jury the Counsel
is permitted to file a bill of Exceptions
unless it appears that there is a variance
in point of the note sued on that it has not
a proper Character of Date the part of the
Defendant that a Bill exceptions must be
tendered from the Counsel counsel of
the Defendant before the end of next Term
counsel of Defendant before the end of October
3rd Day Term, that from the re-
turn of that portion of the Copy said of
Writ of error for the Defendant of the writ
and counsel of the Copy that it should
be done to stand, and not transpire &
Defendant also, that the Plaintiff in said
Writ of error do file a bill of Exceptions
Provided the same shall have been
found in a reasonable time and at a rea-
sonable place to suppose the Jury and
court from whence came at Taylor the

fact of receipt and have specified the particulars in which the jurisdiction is objected to the point of decision and the Point claiming the decision of it whether the Court or the defendants are not entitled to a decree for the proceeds the freight earned on the voyage from Baltimore to the place of discharge of the cargo, or the portion of the freight earned from Baltimore and, and the value of the cargo if it is not to be restored and of that which is to be so restored if the suit is brought.

On the Part of the Libellants

Appeal from the District Court of the United States for the District of Louisiana

Francis E. Conrad, Esquire of Counsel for the Appellants

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana, and on the motion of Mr. Conrad, of Counsel for the Appellants, stating that the matters in controversy in this cause had been settled and agreed by

[illegible]

In Equity. Bill vs Wells et al	The Clerk of this Court for the Eastern District of Texas is hereby ordered to issue writs of subpoena to the defendants in the above entitled cause returnable on the first Monday in April next.

In Equity. Bill vs Ruffin C. Sterling	Last Line of Counsel for the Orders made by the Court at Chamb this morning.

[illegible]

	Peter F. Rindall owner of the Steam Tug Commodore Lockwood Furniture & Thomas W. Rodman & John Decker Claimants	The question of jurisdiction in this cause was argued by the Proctors & written briefs filed by the parties & the Court having considered the same is hereby overruled
25	Vs Appellee	
	George H. Caldwell Master & one of the owners of the Steam Tug Commodore Lockwood & also owner of the Steamer Sterling Sterlock Adams and James Lee.	

The Proctors of the said Peter F. Rindall & others appellants in the above cause suggested the death of Peter F. Rindall & prayed to be allowed to enter the same & to prosecute the appeal in the name of the said Court to consider the decree of the Court below & to be ordered by the said Court & that the representatives of the said Peter F. Rindall deceased shall immediately come in and become parties to the suit by the copy of the writing from of the said Court that the said appellees shall be

ordered & that the injunction granted
that a copy of this order should be forwarded to the
Secretary at the seat of Government, in which the
case of the United States should be presented to
Congress for their consideration at their next
session after the
this Court.

No. 5 Ordered case of Wm Sellers et al	This cause coming on to be heard on argument and no Counsel appearing on behalf of Samuel Reynolds Jr Thereupon upon hearing counsel for the Court that this cause be and the same is hereby dismissed & the fact of the docket under the rule of Court
No. 2 Samuel Pierce et al vs Wm. Sellers et al	This cause having been on argument & no Counsel appearing for Samuel Reynolds Jr on behalf of the Court that this cause be and the same is hereby dismissed & the fact of the docket under the 36th rule of Court.

Motion & Order being made the Court is adjourned until
Monday next at 9 o'clock A.M.

Ordered [illegible] Council [illegible]
[illegible] of the Supreme

Ordered

The Council	By [illegible]	[illegible]
	[illegible]	
	[illegible]	[illegible]
	[illegible]	[illegible]
	[illegible]	
	[illegible]	

[illegible] [illegible]
[illegible] [illegible]

[illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible]

Rule of Court No 35

Ordered [illegible] Council [illegible] be [illegible]
[illegible] [illegible] [illegible] [illegible]

same time two hours, without the special leave of the Court granted before the commencement.

Counsel will not be heard, unless a printed abstract of the case be first filed, together with the points intended to be made, and the authorities cited to be cited in support of them, except under the respective points, and no brief or case can be received after the argument.

If one of the parties omits to file such a statement, he cannot be heard, and the case will be heard ex parte upon the argument of the party who has complied with the rule.

Ordered, that a copy of these rules be delivered to the counsel of each party, on the first day of December Term, 1848.

"Woodbury J. does not assent to this rule."

Mr. Justice Wayne, dissents.

William Kennon, Plaintiff in Error, vs. Joseph Gilmore, Defendant in Error.

Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be

heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and on the motion and on which the Judges of the said Circuit Court were opposed in opinion and ordered same certified to this Court for its opinion agreeably to the Act of Congress in such case provided and proceedings had in pursuance of Counsel. On consideration whereof it is the opinion of this Court that the question on the assignments was not such as could or ought to be certified. Whereupon it is now ordered and decreed that it be so certified to the said Circuit Court

by Mr Ch J Taney

The United States appellants vs Wilson & Others	On appeal from the Circuit Court of the United States for the District of Louisiana

110

The same came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by Counsel. On consideration whereof and it appearing to this Court that the appeal has not been taken in the manner required and within the

by the Court by the writ of Error. It is therefore ordered and decreed by this Court that the appeal be and the same is hereby dismissed with costs for the Respondent.

The United States appellants vs. Louis H. Shelton	On appeal from the District Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof, and it appearing to the Court that this appeal has not been prosecuted in the manner directed and within the time limited by the writ of Congress. It is therefore ordered and decreed by this Court that the appeal be and the same is hereby dismissed with costs for the Respondent.

Samuel Jr. Hamilton appellant vs. Lot Wells [illegible]	On motion of the Respondents made per their Counsel for the appellant by Mr. Blunt of Counsel

for the appellant to direct the Clerk to docket this case as of the time when the transcript of the record was received by him, and to enter a record of the same accordingly. And it is further ordered by this Court that the appellant do cause the appellee to be notified of the docketing of this case in this Court, and of the motion to dismiss it, and upon it is now here ordered by this Court that the said motion be and the same is hereby overruled.

Jno. Mc. Ch. Lan. Taney

	Ord. Dism. Ct. by c.	Motion to dismiss appeal or writ of error argued by counsel for appellee and by the Solicitor General in behalf of the United States
152	Grant D. Ridell & Jacob S. Miller vs Wm. A. Gardner	Appeal from the Circuit Court of Hamburgh County State of Illinois for the Northern District Whereupon the record and argument by counsel for the appellant and appellee from the Supreme Court of the said State of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of Fairfax County State of Virginia and was argued by Counsel. On consideration whereof, It is ordered and adjudged by this Court that the writ of error be and the same is hereby dismissed for the want of jurisdiction.

Present The Hon. Chief Justice Marshall

Thomas Peyton Adm[r] &c
of
Robert Peyton
vs
Robert Peyton

This cause came on to be heard on the transcript of the record from the Circuit Court of Fairfax County State of Virginia and was argued by Counsel. On consideration whereof, It is ordered and adjudged by this Court that the writ of error be and the same is hereby dismissed for the want of jurisdiction.

Thomas Swann late Atty of Md
for Appellant
vs
Joseph Lloyd Executor of Joseph Lloyd late of Md deceased

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by Counsel. On consideration whereof, It is ordered and adjudged by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Ordered that Thomas Swann Esq[r] be and he is hereby appointed Attorney of this Court for the District of Columbia.

On motion of Mr. Key, Counsel for the Appellee in the case of Thomas Peyton Adm[r] &c of Robert Peyton vs Robert Peyton, It is ordered that the Appellee have leave to withdraw the record filed in this cause.

On motion of Mr. Key, Counsel for the Appellee in the case of Thomas Swann late Atty of Md for Appellant vs Joseph Lloyd Executor of Joseph Lloyd late of Md deceased

Court of the District of Columbia for the County of
Washington do hereby certify that on a certain judg-
ment rendered by said Court at the March Term
thereof in the year of our Lord one thousand eight
hundred and forty, wherein the said David Ott
was plaintiff and William A. Bradley was defendant,
a writ of Error was sued out by the said
defendant in Error William A. Bradley to reverse
the judgment of said David Ott obtained at
said term of said Court, which said writ of
Error is returnable to the October Term 1849 of
the said Supreme Court for the

And I further certify that the record of
proceedings in said cause and the transcript
thereof to be sent to the Supreme Court in pursuance of
the said writ of Error is now ready to be
delivered to the said plaintiff in Error

In Testimony whereof I have hereunto
subscribed my name and affixed the
seal of said Court this 12th day
of March A.D. 1849.

Seal

A. Dodge Clk

And forasmuch as the said plaintiff in
Error has complied with the rule of this Court
made on the 2nd day of January

[illegible] of the 43d rule of the Court it is hereby ordered that the writ of error and cause be dismissed with costs. On consideration whereof it is now here ordered and adjudged by this Court that this writ of error be and the same is hereby dismissed with costs and that the cause be and the same is hereby remanded to the Supreme Court of the District of Columbia for further proceedings to be had therein in conformity to law and justice the writ of error notwithstanding.

Mr Chief Justice Fuller

[illegible] having made the Court adjourned until tomorrow at eleven o'clock.

Sept 1 Monday March 12th 1849

Entered to accompany the Court into the Senate of the Capitol

Present

La Normand Esqr & Judge Chief Justice

Judge Dallam
Judge Lake
Judge Caruth
Judge Hemphill
Judge Wheeler

Associate Justices

Robert Walker Esqr Marshal
William Pierce Esqr Clerk

Whereupon the Court adjourned

The Court met & the Court was called by Mr Clerk Pierce and there being present Chief Justice of the Court & three Associate Justices Esqrs of the Supreme Court & admitted to practice as Attorneys and Counsellors of the Court and they were severally sworn accordingly

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[illegible]	to error to the Circuit
36 [illegible]	Court of the United
[illegible]	States for the Eastern
	District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Mississippi, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs, and damages at the rate of six per centum per annum.

Per Curiam

Mr. Chief Justice Taney delivered a separate opinion, in which Mr Justice Catron concurred.

Ordered by the Court.

[illegible]	to error to the Circuit
37 [illegible]	Court of the United States
[illegible]	for the Eastern District
	of [illegible]

This cause came on to be heard on the transcript of the record from the Circuit Court

[illegible]	[illegible]

by the said Court to be certified to the said Circuit Court.

for the Court

Eugene C Howe Appellee vs Jesse D Carr	In error to the Circuit Court of the United States for the Southern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

for the Court

5092 [illegible]

On a certificate of division in Opinion between the Judges of the Circuit Court of the United States for the District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Illinois and on the point or question on which the Judges of the said Circuit Court were opposed in opinion and which was certified to this Court in their opinion agreeably to the act of Congress in such case made and provided and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the statute of limitations of [illegible] years from the time of the right of the cause accrued in 1827 and not before. Whereupon it is now here ordered and adjudged by this Court that [illegible]

Dissenting

[illegible]

[illegible] vs [illegible]	On consideration of the motion made in this cause on a former day of the present term, heard on Tuesday the 2nd instant & on hearing the motion & the answer of Thomas Thompson first sworn to & read in support of the motion. It is now here ordered by the Court that the said motion be and the same is hereby refused.
The United States appt vs [illegible]	It is now here ordered by the Court that the cause be and the same is hereby continued to the next term & to remain as it is.
Thomas Lewis vs [illegible]	On motion of [illegible] it is by the Court ordered that the plaintiff in error now here moved the Court for an extension of time to file the record of this cause & the next term of this Court. Which is ordered by the Court accordingly. On consideration of the motion it is now here ordered by the Court that the same be and the same is hereby granted.

The State of Mississippi Complt
v
The State of Iowa
and
The State of Iowa Complt
v
The State of Mississippi

Original Bill

Decree.

On the third day of March A.D. before the Court and prior unto the time of the said Defendant appearing - The State of Iowa by counsel filed an original bill, and also an amended bill of the State of Iowa against the State of Mississippi which bills and the matters and things therein contained being fully heard and considered by the Court, all of the Judges of said Court being present. It is ordered that the said bill be taken as confessed and that the complainant be at liberty to proceed ex parte in the cause, and that the said complainant may also on final hearing of the cause read the said bill and the exhibits thereto and the affidavits of witnesses taken and filed in the cause; and also the proofs in the cause, consisting of depositions, documents and historical evidences: whereupon it appeared to the Court, that,

[illegible] the United States caused to be run
and marked the lines as part of a boundary be-
tween the United States and the Indians known
as the Great Nation of Indians, known as the
Osage Nation of Indians, as the same was run
and marked in 1825: The first line
of the line beginning on the eastern bank
of the Missouri river, opposite the middle of the
mouth of the Kansas river, and extending north
on said bank of said river to the mouth
of the Kansas river aforesaid: Also the Surveyor and Commis-
sioner acting on behalf of the United States
and the Osage Indians: And that from said mouth
of said Kansas river the said line was run and marked
by said Surveyor, under said authority, which
was extended to the mouth of the Kansas river
of Indiana, and which line by said survey
about two hundred and one hundred degrees towards the north
of a certain point and which line is described
in the said line called in the constitu-
tion of the State of Missouri as the In-
dian boundary line, and to which the Western
boundary of said State was to correspond:
And it was agreed that said two lines
at or near their respective points of the

as a State, have remained the Southern
or Western and Western boundary of the
State of Missouri, as defined by the Constitution
and that the State of Missouri has not
by law or as a part of the boundary of the
ten years after her existence, assented
to the year 1836, the said counties have been
part of the State of Missouri and
part of Arkansas Territory now
United States, and which were included by
Citizens of the United States;
and which have been governed by the United
until the 4th day of December last when the
Missouri was by the same act declared
the 2d of June: It further appeared that the
line of Louisiana there is no such provision
that he shall have arrived at the
year 1836, or any thing that he should
not be entitled for a period of ten
but "from the passage of the said
Act" and proved by a sufficient
to shall have at a future time or the next

Louis, and from which said line was began and ran due west: And the said finds that there is no such rapid in the river Des Moines as that called for in the Constitution of the State of Missouri; and that the said Constitution in running the line run and marked in 1816, to be extended as her northern boundary.

And the Court further finds that the old State of Iowa is entitled to all the territory lying to the line south of the old Indian boundary known as Sullivant's line, as said State, by her act of Congress, approved &c &c; because the United States, by many acts and assumptions, and at the time when Iowa was admitted, in December 1846, recognized and established Sullivant's line as the proper northern boundary of the State of Missouri; and that the State of Iowa is bound by such recognition and acts.

And it further appeared that that portion of territory lying west of Sullivant's first line, and between the same and the Missouri river, was added to the State of Missouri by force of an act of Congress of June 7th 1836, which took effect by the President's proclamation of March 28th 1837; and that a line further east than the present eastern

north-west corner, in a parallel of latitude, to the middle of the Missouri river, at the mouth of the Kansas river of the state of Indiana and that part of the northern boundary

And this court doth adjudge decree and order that the said commissioners cause to be run, the said line and point mentioned between the said State of Indiana and the said southern boundary of the State of Iowa, at the time and manner as in the said Act of Congress of the said boundary, from the northern corner of the said Indiana extended westwardly as the same is marked the said line of the middle of the Missouri river, and that a line run due west from said northern corner to the middle of the Missouri river, at the point of intersecting said parallel of latitude, and that the said commissioners cause to be made plain and distinct landmarks, from the river Ohio to the said Missouri river.

And it is further ordered and decreed that the State of Indiana do and they are hereby perpetually restrained and prohibited from claiming

jurisdiction and effect of the [illegible]
ing the State; and that the State of Iowa be, a
he hereby is, also perpetually enjoined and r
strained from exercising jurisdiction south o
the dividing boundary established in the a
cree.

And it is further ordered that Joseph C.
Brown of the State of Missouri, and H
Henderson, of the State of Iowa, be, and t
are hereby appointed Commissioners for the
purpose of running the line run by said Surveyors in 1816,
viz: a parallel from said northwest an
gle of the Des Moines river; and, especi
ly to find and re-establish said northwest an
and to run the same as it is above
ted: and also to run a line due south, on a
bearing of [illegible] from said
found, to the Missouri river, and to mark t
lines as directed by the decree.

And said Commissioners are hereby a
nanded to plant at said northwest an
a cast iron pillar, four feet six inches long,
and squaring seven inches at the base, and
six inches at the top; which pillar s
at with the word "Monu" on the north

and "Iowa" on the north and "Missouri" on the east side, which mounds shall be already erected and the same. And a similar pillar shall be by them planted in the line on the bank of the Des Moines river with the mark of "Mo. Line" facing the east and also a similar one upon the west bank of the Missouri river, shall be planted by the said commissioners at the point of the Bank of "Mo. Line" facing the east.

And it is further ordered that when a part of said line shall be found to run through the middle of any house or other improvement from the north and west branch of the Des Moines river, and also at the end of any line which on the due west bearing of the Missouri river from and west. Then and in such case of such occupation as the commissioners may adopt on the premises the said acting jointly may direct the same to be removed, and that said line shall be established as aforesaid.

And it is further ordered that a copy of this order be forwarded to the United Brigadiers of the State of Missouri,

pointed by the Clerk of this Court, and that a
Seal of office shall in the premises be procured
by the Chief Magistrate of the State of Connecticut
the Commissioners of this Court hereby appointed,
and directed to correspond with said Chief Magistrate
and respectively thereto their Correspondence of
State papers & the Records and Seal
of the State Authorities, in the performance of this
Duty imposed on said Commissioners by this Decree. And it is further ordered that the Clerk
of this Court forward to said Chief Magistrate and Commissioners a copy hereof, duly authenticated,
under Seal.

And it is also ordered that said Commissioners make report to this Court, on or before the
first day of January next, of their proceedings
in the premises; with a bill of costs and charges
incurred.

And it is further ordered that in case either
of said Commissioners die, or refuse to act, or be
unable to perform the duties required by this
Decree the Chief Justice of this Court is hereby
authorized and empowered to appoint other
Commissioners to supply vacancies; and so
from time to time as occasion may require by the Chief Justice, &c

Between A.B. of [illegible] Plaintiff and C.D. of [illegible] Defendant	The Day of for the plaintiff Com having moved this this suit by Chester Esq. one of the

[illegible] since the last Continuance of
the cause, moved the Court for an order under
[illegible] of Court to revive the proper representa-
tion of the [illegible]
[illegible]
It is therefore ordered by this Court that
[illegible] the proper representatives of the said Defen-
dant Esq. deceased shall, within [illegible]
[illegible] after the first [illegible] day of the
ensuing Term of this Court, cause their said
[illegible] to be entered to open the
same and on hearing cause the same to be revived
or do the contrary: Provided however that a
Copy of this order shall be printed
in a newspaper at the Seat of Go-
vernment, in which the Laws of the
United States shall be printed
by authority, for three months
successively at least sixty days
before the beginning of the next

In the case of Ex parte [illegible]
Ex parte [illegible] in the Supreme Court of the United States.

Having received information of the arrest of Joseph L. Smith and of the commitment of said by the order of the Supreme Court of the District of Utah to the custody of the Marshal of said District and having heard the statement of said Smith and Isaac, I hereby pursuant to the duty imposed upon me by the said Act of Congress approved March 22nd 1882 entitled "An Act to amend section 5352 of the Revised Statutes of the United States in reference to bigamy and polygamy in the Territories and other places and for other purposes" issue this my warrant directing you to receive the said Joseph L. Smith into your custody and detain him in the penitentiary of this District until he shall be discharged by due course of law or by order of the Supreme Court of the United States.

Given under my hand this 4th day of April A.D. 1882

A. S. Piney Chief Justice
of the Supreme Court
of the United States.

Present

Ordered that the Sheriff

[illegible]

Sent Woodbury

Ordered Wallace & Davis

Walter Thomas Carroll, Clerk

United States of America to all who shall
see these presents, Greeting:

Know Ye, That reposing special trust
and confidence in the integrity, ability and
[illegible] of [illegible]
[illegible] I do appoint him Consul of the
United States, for the District of [illegible]
and do authorize and empower him to exe-
cute and fulfil the duties of that Office
according to law; And to have and to hold
the said Office, with all the powers, privileges
and [illegible] to the said Office
of right appertaining, unto the said Richard Marcellus during
the pleasure of the President of the United
States for the time being, and until the end
of the next session of the Senate of the United
States and no longer.

In Testimony whereof, I have
caused these Letters to be made Patent,
and the Seal of the Department of
State or Interior of the United States
to be hereunto affixed.

Given under my hand, at the City of Washington, the Twenty Sixth day of June in the
year of our Lord one thousand eight hun-

[illegible]

[illegible] & Conviction of Mr. Johnson of Counsel for the plaintiff in Error, and with the appearance of Mr. Nelson of Counsel for the defendant in Error. It is therefore ordered by the Court that the same be and the same is hereby affirmed, & the cost of the defendant.

[illegible]

[illegible]

the 2d June of Court.

Richard Ellis Jeff in Cr.	This cause having been called for argument and the Counsel of the parties ready to proceed with the same. It is

thereupon ordered by the Court that this cause be and the same is hereby dismissed at the cost of the relator under the 21st rule of Court.

The Petition of the Steamer Rob Roy Cat. Cobb Master Ex & Libellant &c. &c. &c. on the part of the owners of the Steamer Cat	[illegible]

On motion being made the Court is adjourned till 9 oclock tomorrow morning at Eleven O'clock

12	Thomas Henderson Ex'r &c. of Jeffries &c. vs. Jesse of the State of Tennessee	On motion of Jno. Eichelberger of Counsel for the Complainant in this cause and it appearing to the Court that this cause is at issue and ready for hearing on the motion of the Complainant by his Counsel aforesaid.
14	The United States vs. Ogden & al.	This cause coming on to be heard on the motion of the Complainant by his Counsel aforesaid and it appearing to the Court that the Defendants have been duly served with process of subpoena and have failed to appear and answer the Complainants bill of complaint filed in this cause.
15	The United States vs. Ogden & al.	This cause coming on to be heard on the motion of the Complainant by his Counsel aforesaid and it appearing to the Court that the Defendants have been duly served with process of subpoena and have failed to appear and answer the Complainants bill of complaint filed in this cause.
16	The United States vs. [illegible]	[illegible]

ine that the Counsel of the respective parties have filed a Stipulation in writing that the writ of Error shall be dismissed at the cost of the plaintiff in Error. It is therefore now here ordered and adjudged by this Court that such writ of error be and the same is hereby dismissed with costs.

per Curiam.

Proclamation being made the Court is adjourned until to morrow morning at 10 o'Clock.

[illegible]

[illegible]

[illegible]

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
Philip P. Barbour
John McLean
Henry Baldwin
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier
Associate Justices

Richard Ballard Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Reverdy Johnson, Attorney General. It is ordered that Albert L. Emory Esquire, of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

17	Harriett V. Kadel Appt vs Joseph H. Kadel Resp	The Argument of the cause was continued by the Court for the appellees and concluded by Court for the appellant

Proclamation being made the Court is adjourned until Monday morning, at Eleven O'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James McKayne
John Catron Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire Marshal
William Thomas Carroll. Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Seward - It is ordered that A. George L. Campbell Esquire of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court. and he was sworn accordingly

---

9.	The United States. Jeffs vs The City of Portland	The argument of this cause was commenced by Mr Gillett for the plaintiffs and continued by Mr Evans for the defendant.
11	Isaac Reach. Treasurer of the Mint US Jeffs in Er vs The County of Philadelphia	The argument of this cause was commenced by Mr Wilson for the plaintiff in Error and continued by Mr Bawsler for the defendant in Error.
	The State of Missouri vs The State of Iowa & The State of Iowa vs The State of Missouri	By the decree of this Court made at its last Term in the foregoing causes Joseph C. Brown was appointed one of the Commissioners to ascertain and mark the line established by said decree as the true dividing line between said

States of Missouri and Iowa, and said Brown having died, Robert M Wells was appointed Commissioner instead of said Brown, by the Chief Justice of this Court in vacation and said Wells having tendered his resignation, the same is accepted, and William C Mercer of the State of Missouri is hereby appointed successor to said Wells, with all the powers

to execute said decree that were conferred on Joseph W. Brown. And it is ordered that Henry B. Hendershot and said William G. Minor, the present Commissioners to ascertain and mark said boundary, and to execute said decree, proceed to do so as soon as practicable; and that they report to this Court, on or before the next term thereof, what they have done in the premises.

pr. Mr Jus: Catron

Proclamation being made the Court is adjourned until tomorrow morning, at Eleven O'Clock

Tuesday December 11th 1849

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	Chas. McLean	
	James Mc. Kayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire. Marshal

William Thomas Carroll Clerk

Proclamation being made the Court is opened.

Rule of Court. No. 54.

Ordered. that where an appearance is not entered on the record for either the plaintiff or defendant on or before the second day of the term next succeeding that at which the case is docketed, it shall be dismissed at the costs of the plaintiff.

Rule of Court No 55.

When a case is called for argument at two successive terms, and upon the call at the second term neither party is prepared to argue it, it shall be dismissed at the costs of the plaintiff, unless sufficient cause is shewn for further postponement.

The United States pffs v Thomas Staats & ors	On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Northern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and on the points and questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof it is the opinion of this Court 1st That the indictment is not fatally defective, for the reason the acts charged to have been committed by the defendant, are not charged to have been committed

feloniously or with a felonious intent. and
2ndly That the acts charged in the said indictment to have been committed by the defendant do constitute an offence within the provisions of the first section of the act of Congress approved March 3d 1823. intitled "an act for the punishment of frauds committed on the Government of the United States" Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court

per Mr Jus. Nelson

	Isaac Veach Treasurer of the Mont Co. pltff in Er	The argument of this cause was continued by Mr Brewster for the defendant in Error and concluded by Mr Reverdy Johnson. Attorney General, for the plaintiff in Er.
11.	vs	
	The County of Philadelphia	

	The United States pltff	The argument of this cause was concluded by Mr Reverdy Johnson. Attorney General for the plaintiff.
9	vs	
	The City of Portland	

	Francis Siegel Appt	The argument of this cause was commenced by Mr G. H. Lawrence for the appellant
20	vs	
	M. Lapsley & ac	

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock

Wednesday December 12th 1849.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean.	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury &	
	Robert C. Grier	

Richard Wallach Esquire, Marshal

William Thomas Carroll Clerk

Proclamation being made the Court is opened

Francis Siegel appt.	The argument of this cause
vs	was continued by Mr Lawrence
30 P. M. Lapsley & ac.	for the appellant and by Messrs
	Brown & Johnson for the appellee.

Proclamation being made the Court is adjourned until to morrow morning at Eleven O'Clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James McKinley
John Catron Associate
Peter V Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Reverdy Johnson Attorney General. It is ordered that A. C. Read Esquire of Ohio be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

14	The United States Appt vs Burroughs & Carr and John Pick, claimants of 16 Boxes of Havana Sugar, 12 Buckets of Champagne Wine &c.	On appeal from the Court of Appeals for the Territory of Florida.

This cause came on to be heard on the transcript of the record of the Court of Appeals for the Territory of Florida and was argued by Counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be and the same is hereby affirmed.

pr Mr Ch. Jus. Taney.

15	The United States Appt vs Burroughs & Carr and John Pick, claimants of 10 Boxes, 20 Half Boxes, 6 Quarter Boxes & 1 Barrel & 1 Keg of Cognac &c.	On appeal from the Court of Appeals for the Territory of Florida

This cause came on to be heard on the transcript of the record from the Court of Appeals for the Territory of Florida and was argued by Counsel. On consideration whereof It is now here ordered adjudged, and decreed by this Court that this cause be and the same is hereby dismissed for want of

jurisdiction

for Mr Ch. Jus Taney.

Alexander Sharp Samuel D. Henderson & al Stockholders &c Appts vs George A. Lyons. Robert Irvine & al. Directors of the Carlisle Bank	On appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania

134

This cause came on to be heard on the transcript of the record of the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by Counsel On Consideration whereof. It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

By a divided Court

Francis Surget Appt vs P. M. Kupiec & ux	The argument of this cause was continued by Mr Johnson for the Appellees and concluded by Gen Jones for the Appellant.

20.

	Asher M. Nathan - pffs Err	This cause was submitted to
21.	vs	the Court on the record and printed
	The State of Louisiana	arguments of Mr Wilde for the
		plaintiff in Error and Mr Carr

for the defendant in Error.

	Matthias Purvis & Co	This cause having been called
22.	vs pffs in Err	for argument and no Counsel ap-
	James M. C. Bell & al -	pearing, ready to proceed with

the same. It is therefore now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of the Court.

	James Phalen pffs in Err	The argument of this cause
23	vs	was commenced by Mr Z. B. Lee
	The State of Virginia	of Counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice

John McLean
James M. Wayne
John Catron Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Genl Henderson. It is ordered that Volney E. Howard Esquire of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf, by Mr Johnson Attorney General. It is ordered

that John W. Ashmead Esquire of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

The United States pltffs vs Thomas Seals Jr.	Mr Johnson, Attorney General, of Counsel for the plaintiffs now here moved the Court to direct the Clerk to issue a mandate in this case forthwith. On Consideration whereof, it is now here ordered by the Court that the Clerk do issue a mandate in this case as soon as practicable.
Richmond Clark Wayne Williams Ebenezer McLellan Thomas L. McLellan & James R. S. Williams, Claimants of the Barque Susan M. Lind vs Appts Nathaniel Barnewell and James Ravenal	On appeal from the Circuit Court of the United States for the District of South Carolina Mr Lowe of Counsel for the Appellees having filed and read in open Court the following, certificate, to wit. "Circuit Court of the United States South Carolina District. I, Henry Y Gray, Clerk of the said Circuit Court of the United States for the South Carolina District

do hereby certify that at the March Term of said Court in the year 1849. in a certain cause of admiralty and maratime jurisdiction pending in the said Court wherein Tristram Clark, Royal Williams, Ebenezer McClellan, Thomas McClellan and James R. & Williams, claimants of the Barque Susan H. Lord her tackle &c were appellees from a decree of the District Court of the United States for said South Carolina District and Nathaniel Barnwell and James Mc venal. Copartners &c. were appellants, a decree was made in and by which it was "Ordered, adjudged and decreed that the said decree of the District Court — reversed, conclusive evidence having been given to this Court which was not produced befor the said District Court as to the shipment of the goods in Liverpool in good order and condition. And it is further ordered adjudged and decreed that the Respondents pay to the Libellants the sum of two thousand two hundred and twenty eight dollars 89 cents ($2.228 89) together with the costs of suit; and that, unless they shall do so within thirty days after the date of this decree, execution shall issue against Tristram Clark, Royal Williams, Ebenezer McClellan, Thomas McClellan and James R. & Williams (who have been admitted as claimants in the said cause and to whom the said Barque with her

appurtenances aforesaid had in due form of law been delivered on Stipulation) and against Edward Sebring and D. W. Johnson, their Sureties on the said Stipulation - from which said decree the said Appellants at said term prayed an Appeal to the Supreme Court of the United States, which appeal was duly allowed on bond being given with sufficient Securities, which said appeal bond was in due time approved and filed in my Office as Clerk of said Circuit Court in conformity with Law, viz. on the twenty first day of June A. D. 1849.

In Testimony Whereof I have hereunto set my hand and affixed the Seal of said Circuit Court this Seventh day of December in the year of our Lord one thousand Eight hundred and forty nine

(Seal)

H. Y. Gray. Clk by Ct. S. C. D.

And having stated that the Appellants had altogether failed to file the record of said case in this Court, or in any way to prosecute said appeal - now here moved the Court to have this appeal docketed and dismissed. On Consideration whereof. It is now here ordered, adjudged and decreed by this Court that the appeal from the Circuit Court of the United States for the District of South Carolina be and the same is hereby docketed and dismissed with costs, and that this Cause be and the same is hereby remanded to the said

Circuit Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding

for Mr Ch: Jus. Taney

The United States Appts vs 133 Louis Boisdore's heirs	The argument of the motion to dismiss this case was commenced by Mr V E Howard in support thereof, continued by Mr Gillet and Mr Johnson, Attorney General, in opposition thereto and concluded by Mr Henderson in support of the motion

The United States Appts vs 147 Henry Turner's heirs	The argument of the motion to dismiss this case was commenced by Mr V E Howard, in support thereof, continued by Mr Gillett and Mr Johnson Attorney General, in opposition thereto and concluded by Mr Henderson in support of the motion

The United States Appts vs 175 Thomas Powers' heirs	The argument of the motion to dismiss this case was commenced by Mr V E Howard in support thereof, continued by Mr Gillett and Mr Johnson, Attorney General, in opposition thereto and concluded by Mr Henderson in support of the motion.

Proclamation being made the Court is adjourned until Monday morning at Eleven Oclock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James Mc. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier
Associate Justices

Richard Wallach Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Ewing It is ordered that J. M. Gest Esquire of Missouri be admitted to practice as an Attorney and Counsellor of this Court. and he was sworn accordingly

On motion first made to the Court in this behalf by Mr Johnson Attorney General It is ordered that Charles Bunker Esquire of Massachusetts be

admitted to practice as an Attorney, and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Badger. It is ordered that Pierre Soulé Esquire, of Louisiana, be admitted to practice as an Attorney and Counseller of this Court. and he was sworn accordingly.-

Nathaniel Lord	pff in Er	This cause was submitted to the
177	vs	consideration of the Court on the
John W. Veazie		record and printed arguments by

Mr Hamlin for the plaintiff in Error and by Mr Bradbury for the defendant in Error.

James O'Halen.	pff in Er	This cause was argued by Mr Ly
23	vs	D. Lee for the plaintiff in Error
The State of Virginia		

Amedie Menard's heirs		The argument of this cause was
24	vs pff in Er	commenced by Mr A. H. Laurence
Samuel Massey		for the plaintiff in error, continued

by Mr Ewing, for the defendant in Error and concluded by Mr Badger for the plaintiff in Er

Proclamation being made the Court is adjourned until to morrow morning at Eleven O'clock

Tuesday December 18 1849.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	Roger B. Taney.	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury &	
	Robert C. Grier	

Richard Wallach Esquire. Marshal.

William Thomas Carroll. Clerk

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr Ewing. It is ordered that S. P. Chase Esquire of Ohio be admitted to practice as an Attorney and Counsellor of this Court. and he was sworn accordingly

25	Lewis Bissell pff in Err vs Mary B. Penrose	The argument of this cause was commenced by Colonel Benton for the plaintiff in Error

Proclamation being made the Court is adjourned until tomorrow morning at Eleven Oclock

Wednesday December 17 1845

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice

John McLean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier
Associate Justices

Richard Wallach Esqr Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Johnson, Attorney General. It is ordered that John W. Harris Esquire, of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

28	Lewis Bissell plff in Er vs Mary B. Penrose	The argument of the cause continued by Messrs Hare & Ewing for the defendant in Error and by Mr Hamilton for the plaintiff in Error

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney.	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury &	
	Robert C. Grier	

Richard Wallach Esquire. Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Johnson. Attorney General. It is ordered that W. S. Barton. Esquire. of Virginia. be admitted to practice as an Attorney and Counsellor of this Court. and he was sworn accordingly

The United States Appls
vs
Louis Boisdores heirs

On consideration of the motion made by Mr Henderson of counsel for the Appellees on a prior day of the present term of this Court, to wit, on Friday the 16th instant, to dismiss this cause for the want of jurisdiction and of the arguments of Counsel thereupon had as well against as in support of the said motion. It is now here ordered by this Court that the said motion be and the same is hereby overruled

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The United States Appls
vs
Henry Turners heirs

On consideration of the motion made by Mr Henderson of counsel for the Appellees on a prior day of the present term of this Court, to wit on Friday the 16th instant, to dismiss this cause for the want of jurisdiction and of the arguments of Counsel thereupon had as well against as in support of the said motion. It is now here ordered by this Court That the said motion be and the same is hereby overruled.

The United States Appls
vs
Thomas Powers heirs

On consideration of the motion made by Mr Henderson of counsel for the Appellees on a

prior day of the present term of this Court. to wit: on Friday the 11th instant to dismiss this cause for the want of jurisdiction. and of the arguments of Counsel thereupon had as well against as in support of the said motion. It is now here ordered by this Court that the said motion be and the same is hereby overruled

Lewis Birell plff in Er vs Mary B. Penrose	The argument of this cause was concluded by Mr Gamble for the plaintiff in Error.

On motion first made to the Court in this behalf by Mr Ewing, it is ordered that A. K Babbell. Esquire. of California. be admitted to practice as an attorney, and counsellor of this Court and he was sworn accordingly.

Proclamation being made the Court is adjourned until tomorrow morning, at eleven O'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
John McLean
John Catron
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier
Associate Justices

Richard Wallach Esqr. Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Hamlin It is ordered that Thomas J. D. Fuller, Esquire, of Maine, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

9 The United States - Appts. vs The Inhabitants of the City of Portland | On a certificate of division in opinion between the Judges of the

Circuit Court of the United States for the District of Maine

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine and on the points or questions on which the judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel. On Consideration whereof, and this Court being equally divided in opinion on the said points or questions. It is now here ordered and adjudged by this Court that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein according to law and justice.

By a divided Court

Isaac Roach. Treasurer of the Mint of the United States

vs

The County of Philadelphia

In Error to the Supreme Court of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of Pennsylvania and was argued by Counsel. On consideration whereof. It is now here ordered and adjuged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed. —

By a divided Court. —

Daniel Grove Appt vs John M.c P. Brien & ac	M.r S. L. Smith of counsel in for the appellees having suggested the death of John M.c P. Brien, one of the appellees, since the last continuance of this cause and filed the appearance of Isabel M Brien, Executrix of the last will and testament of the said John M.c Brien deceased, now here moved the Court that the appearance of the said Executrix be entered, and that she have leave to become a party in this cause. On Consideration whereof. It is now here ordered by this Court that the appearance of the said Isabel M Brien Executrix as aforesaid, be entered and that she be and hereby is made a Co-appellee in this cause

Adam L. Mills - pff in Err vs Simeon Stoddard & al	The argument of this cause was commenced by Mr Benton for the plaintiff in error and continued by Mr Ewing for the defendant in Error

Peter F. Kimball, owner of the Steamer De Soto, her tackle, apparel & furniture, & Thomas W. Reed, master thereof. Appts

vs

George H. Caldwell, master & one of the owners of the Steamer Buckeye & James Smith the other owner of the Steamer Buckeye, her tackle, apparel and furniture.

On appeal from the Circuit Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and it appearing to the Court here that the death of Peter F. Kimball, one of the appellants, was suggested on the record at the last term of this Court and that thereupon this Court ordered that unless the proper representatives of the said Peter F Kimball should voluntarily come in and become parties within the first ten days of the ensuing term of this Court, then that the Appellees should be entitled to have this appeal dismissed under the 28th rule of this Court and it also now appearing to this Court here that the said order was duly published in pursuance of the said rule of this Court and that the proper representatives of the said Peter F Kimball have altogether failed to come in and become parties as aforesaid. It is thereupon on the motion of the said appellees by their counsel W. L. Sharkey Esquire, now here ordered and decreed by,

this Court that this cause be and the same is hereby dismissed with costs

for the Pltf [illegible]

Proclamation being made the Court is adjourned until Wednesday morning at eleven O'clock

Wednesday December 26th 1849.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean

John Calvin	Associate
Samuel Nelson	Justices
Levi Woodbury	

Richard Wallach Esquire, Marshal

William Thomas Carroll, Clerk

There not being a sufficient number of Justices present to constitute a quorum

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Proclamation being made the Court is adjourned until to morrow morning at Eleven Oclock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John J. McLean
John Walker
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier
Associate Justices

Richard Wallach Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

27

Charles A. Williamson & wife vs Joseph Berry,	On the application of Mr Jay of Counsel for the defendant Error now pending by the Appeal in this cause be postponed to and argued in connection with Nos 46 & 47

28

Sherburne Sears. pltff in Er vs Joseph M. Eastburn	This cause having been called for argument and no counsel [illegible]

to proceed with the same. It is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of Court.

William McLanahan's adm^r	The argument of this cause
30. vs. Appl.	was commenced by Mr. Neale
Richard Davis & ac	for the appellant, continued

by Mr. Ed Smith for the appellees and concluded by Mr Neale for the appellant.

The United States pffs in Er.	The argument of this cause was
35. vs.	commenced by Mr Gillet for
McKean Buchanan	the plaintiffs in Error

Simeon Jones Treasurer of	In Error to the Supreme Court
County of North & Range 8 West	of the State of Illinois
for the use of the Inhabitants &c	
37. vs. pffs in Er.	This cause came on
Moses Enos Neal & Company	to be heard on the transcript
& Charles Lavender	of the record from the Supreme

Court of the State of Illinois, and Simeon Jones the plaintiff in Error having been three times solemnly called by the Marshall to come into Court and prosecute this writ of Error, and failing so to do. It is thereupon, on the motion of the defendants in Error by their

counsel Alexander H. Laurence Esquire, now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs

per Curiam

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock

Friday December 8 1837

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean
John Catron
Peter V Daniel
Samuel Nelson
Levi Woodbury
Robt C. Grier
} Associate Justices

Richard Wallach Esquire, Marshal.
William Thomas Carroll, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr Sherman, It is ordered that Layman D. Mahoney, Esquire, of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Elliot It is ordered that Lovell Rich-mond Esquire, of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.-

On motion first made to the Court in this behalf by Mr Johnson, Attorney General. It is ordered that Luman Sherwood Esquire, of New York, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly,

Andrew Irwin. Compl & Appt vs William L Parham. James Dick & Henry W. W. Hill	On appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

247

Mr Henderson of Counsel for the appellees having filed and read in open Court the following certificate, to wit

Andrew Irwin vs William L. Parham, James Dick & Henry W. W. Hill	In Chancery Circuit Court of the United States for the fifth Circuit and Eastern District of Louisiana In New Orleans

I John W Lusby, Clerk of the Circuit Court of the United States for the 5th Circuit and Eastern District of Louisiana do hereby certify

That on the Eighth day of February A. D. 1848, the above named defendants did obtain a decree in Equity against the above named

Complainant, in said Court, in the words and figures following, to wit

Andrew Dawson vs 1579 Wm. L. Parham & a

This cause came on to be heard at this term and was argued by Counsel, and thereupon upon consideration thereof. It was ordered adjudged and decreed that the Injunction granted in this case be dissolved, and that the Complainants Bill be and the same is hereby dismissed with costs

Decree rendered 8th February A.D. 1828.

Signed 10th February A.D. 1828.

J. McKinley.

And that on the 27th day of March 1829 an appeal was taken and allowed by and to the said Complainant returnable to the December Term of the Supreme Court of the United States 1829. All of which appears by the records remaining in my office

[Seal]

Witness my hand and the seal of said Court at New Orleans this 15th day of December A.D. 1829.

J. M. Gurley: Clerk."

And having cited that the Appellant has illegally failed to file the record of said case in this Court, or in any way to prosecute said Appeal. Now here moved the Court to have the appeal docketed and dismissed. On consideration

Whereof. It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Eastern District of Louisiana, be and the same is hereby dochated and dismissed with Costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice. The said appeal notwithstanding

for Mr Jno. McLean

Nathaniel Lord. pltff in Er vs 177 John W. Veazie	W. D. Lord, Esqre. on behalf of himself and as Counsel for the City Bank of Boston moved the Court either to dismiss this cause or to order the same back to the Circuit Court for trial and which motions were opposed by Messrs Hamlin & Bradbury Whereupon it is now here ordered by the Court that the said motions be and the same are hereby set down for argument on Friday the 1st day of February next
Alexander McSharp & al vs The Carlisle Bank	Mr Berrien on behalf of the appellees moved the Court to direct the Clerk to issue the mandate in this case forthwith

On Consideration whereof. It is now here ordered by this Court that the Clerk do issue a mandate in this cause as soon as practicable.

Elijah Peale. Trustee &c		Genl Henderson in behalf of
	vs.	the defendants in Error moved
193.	pltff in Er	the Court to dismiss this writ
Martha Phipps &c		of Error because of the defective

citation Whereupon this Court not being now here sufficiently advised of and concerning what order to make in the premises. took time to consider.

The United States	pltff in Er	The argument of this cause was
	vs.	continued by Mr Gillet for the
35.		plaintiff in Error and by Messrs
Mr Noah Buchanan		Dallas and Wharton for the

defendant in Error.

Proclamation being made the Court is adjourned until Monday morning at Eleven Oclock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John McLean
John Catron
Peter V. Daniel
James Trimble
Levi Woodbury
Robert C. Grier
Associate Justices

Richard Wallach Esquire Marshal
William Thomas Carroll. Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Gillet. It is ordered that Nathan Reese Esquire, of New York. be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Johnson. [illegible] It is ordered that John I McCulloh Esquire. of New York. be admitted to practice as an Attorney and Counsellor of

of this Court, and he was sworn accordingly

The United States.	pffs in Er	The argument of this cause
15.	vs.	was continued by Mr Dallas
Mc Kean Buchanan		for the defendant in Error and
		concluded by Mr Johnson,

Attorney General, for the plaintiffs in Error.

Lessee of Jacob Eberman &c		The argument of this cause was
32.	vs pffs in Er	commenced by Mr Bibb for the
Thomas Watson		plaintiffs in Error.

Proclamation being made the Court is adjourned until Wednesday morning at Eleven O'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean
John Catron Associate
Peter V Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

105. Eli Clark &c. pff in Er. vs. The Manufacturers Insurance Co. This cause was submitted to the Court on the record and printed arguments by Mr Gillet for the plaintiff in Error and by Mr Hall for the defendant in Error.

32. Lessee of Jacob Chrisman &c. pff in Er. vs. Thomas Watson This cause was argued by Mr Bibb for the plaintiff in Error and submitted

on printed argument by Messrs Wharton and Meredith for the defendant in Error.

Adam L. Mills pff in Er.	The argument of this cause
96 vs	was concluded by Mr Gamble
Simeon Stoddard & al.	for the plaintiff in Error.

Benjamin Rupert assignee in	On appeal from the Supreme
Bankruptcy of Elijah M Pherrin	Court of the Territory of Iowa
33. vs Appt	
Timothy Davis.	This cause came on to be

heard on the transcript of the record from the Supreme Court of the Territory of Iowa, and Benjamin Rupert the appellant, having been three times solemnly called by the Marshall to come into Court and prosecute this appeal, and failing so to do. It is therefore, on the motion of the appellee by his counsel Alexander H. Lawrence Esquire, now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs.

per Mr Ch. Jus Taney.

Jonathan M. Read. Pltff in Er.

vs.

The proprietors of Locks and Canals on Merrimack River

The argument in this cause was commenced by the Pltff in Error

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock

Thursday. January 3d 1850.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice

John McLean
James Mc. Kayne
John Catron Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury dy
Robert C. Grier

Richard Wallach Esquire Marshal
William Thomas Carroll. Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Johnson, Attorney General, It is ordered that Lewis E. Parsons, Esquire, of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was duly accordingly.

Harriet V. Tadd. by her next friend M. W. Corn. vs. Joseph B. Tadd. &c.	Compt. &c.	Def't.	On appeal from the circuit court of the United States for the District of Columbia holden in and for the County of Alexandria.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Alexandria and was argued by Counsel On consideration whereof It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Curiam

Elijah Veale Trustee &c. vs. Martha Phipps &c.	Compl't. &c.	Def'd. &c.	On consideration of the motion to dismiss this writ of Error submitted to the Court by Mr. Henderson on a prior day of the present term of this Court and on Friday the 28th ultimo It is now here ordered by this Court that said motion be and the same is hereby overruled

per curiam

	Jonathan M. Reed pltff in Er	The argument of this cause
24	vs.	was continued by Mr Parker
	The proprietors of Locks & Canals	for the plaintiff in Error
	on Merrimack River	and Mr Robinson for
		the defendants in Error.

Proclamation being made the Court is adjourned until
tomorrow morning at Eleven O'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice

[illegible]

Richard Wallace Esquire Marshal

William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion it is ordered by the Court that Edward Bates be admitted to practice as Attorney and Counsellor of this Court and they were severally sworn accordingly

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Henry Wheaton and Robert Donaldson . . Appts	On motion of George H. Biddle Esquire of Counsel for the
vs	Appellees. the Court order
Richard Peters & John Grigg	and direct that the Counsel

for the appellees in the above case, have leave to move, on Friday the 18th day of January 1850 at 11 Oclock in the forenoon, that the appeal in the above case be dismissed, and that depositions in support of said motion be taken before J. Buxhead H. Yates commissioner for the Eastern District of Pennsylvania at his office in the State House in the City of Philadelphia on three days notice to the Appellants or their Solicitor; And it is further ordered that all proceedings in the said case be stayed until said motion shall have been heard and disposed of.

John H. Lewis . . Appt	On appeal from the District
vs	Court of the United States
Sarah Darling	for the Northern District of

Alabama.

Mr. J. P. Butler of Counsel for the Appellee having filed and read in open Court the following certificate, to wit

"The United States of America
Northern District of Alabama } ss

I Benjamin F. Moore, Clerk of the District Court of the United States for the Northern

District of Alabama at Huntsville, do hereby certify that on the twenty third day of November being a day of a term of the District Court of the United States aforesaid, begun and held at the Court House in the Town of Huntsville in said District, on the fourth Monday in said month, November, in the year one thousand eight hundred and forty seven, in a certain cause then pending, in Chancery, wherein Sarah Ewing is plaintiff, and John H. Lewis is defendant, by a decree of said Court, the said plaintiff recovered against said defendant, the sum of Seven thousand six hundred and forty five dollars and forty five cents, besides the costs of suit that at the said November Term a petition for rehearing was filed by said defendant which at the November Term of said Court in the year eighteen hundred and forty eight, was dismissed, and that defendant thereupon prayed and obtained an appeal to the then next term of the Supreme Court of the United States and was allowed thirty days to execute an appeal to be approved by the Judge of said Court, and that on the fourteenth day of December eighteen hundred and forty eight, an appeal bond executed by the said defendant John H. Lewis with William Rives his security approved by the said Judge, was filed in my office to supersede the execution of said decree

In testimony thereof I have subscribed my name and affix the seal of said Court at Office in Huntsville, this the thirteenth day of November A.D. one thousand eight hundred and forty nine and of the Independence of the United States of America the seventy fourth.

W. L. Moore, Clerk"

And having stated that the Appellant had altogether failed to file the record of said case in this Court, or in any way to prosecute said appeal Now here moved the Court to have the appeal docketed and dismissed. On Consideration Whereof, It is now here ordered adjudged and decreed by this Court that this appeal from the District Court of the United States for the Northern District of Alabama be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice, the said appeal notwithstanding

per Mr. Ch. Jus: Taney)

John Mason Pltff in Er.
vs.
Joseph N. Pearson

Mr. Mason of Counsel for the plaintiff in Error having suggested the death of John Mason, the plaintiff in Error, since the last continuance of this cause, and filed the appearance of

Anna M. Mason, widow, and John Mason, James M. Mason, Eilbeck Mason, Murray Mason, Marmaduke Mason, Barlow Mason, Samuel Cooper and Sarah M. his wife, Sidney S Lee and his wife Cousins & Jamison and Catharine his wife, heirs and devisees of said John Mason deceased, now here moved the Court for leave to the said parties to appear as plaintiffs in Error with liberty to prosecute this writ of Error Whereupon it is now here Considered and ordered by this Court that the appearance of the said Anna M. Mason, widow and John Mason James M. Mason Eilbeck Mason Murray Mason, Marmaduke Mason, Barlow Mason Samuel Cooper and Sarah M. his wife, Sidney S Lee and his wife Cousins & Jamison and Catharine his wife, heirs and devisees of said John Mason deceased be entered as the plaintiffs in Error with the right to such to prosecute this writ of Error.

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34. Jonathan M. Reed. Jeffs in Er vs The proprietors of Locks & Canals on Merrimack River

The argument of this cause was commenced by Messrs Robinson & Webster for the defendants in Error and Concluded by Mr Jones for the plaintiff in Error

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Charlotte Taylor by James Mc. Mather her next friend. Appt 31 vs. James Taylor Dft	The argument of this cause was commenced by Mr. Holmes for the Appellant.

Proclamation being made the Court is adjourned until Monday morning at Eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice

John McKinley
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier

Associate Justices

Richard Wallach Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made, the Court is opened

On motion duly made by the Attorney General in behalf of Mr Johnson, Attorney General of Maryland, James Cooper Esquire, of Pennsylvania was admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

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Samuel Teagle. Appt vs Nathaniel T. Williams & Louisa Williams the widow & Executrix of Stephen Williams.	On appeal from the Circuit Court of the United States for the District of Maine.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine and was argued by Counsel. On Consideration whereof, It is the opinion of this Court that the pretended sale of the two mile privileges at and for the sum of $40.000, as set forth and described in the pleadings and proofs in this cause, was fraudulent and should be set aside; but as equitable terms imposed on the complainant he is to let the sale stand for the sum of $20.000 fairly bid by him; and that the balance of the monies paid by the complainant over and above the said $20.000, should be refunded to him by the defendants with legal interest thereon and that the notes and securities given for the payment of any part of such excess should be cancelled and given up by the defendants to the Complainant. that the defendants should pay the costs in this Court upon this appeal and all the costs which have accrued in this Cause in the said Circuit Court, or which may accrue thereon in carrying out the decree of this Court.

Whereupon it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court

dismissing the complainants bill be and the same is hereby reversed and annulled And this Court proceeding to render such decree as the said Circuit Court ought to have rendered therein doth now here order adjudge and decree that the aforesaid sale as aforesaid set forth be and the same is hereby rescinded and set aside, that the said complainant shall on equitable terms, retain the said property at and for the said sum of $2.00, part of the moneys paid by him to the said defendants, and that the said defendants shall on or before the third day of that term of the said Circuit Court next ensuing the filing the mandate of this Court in said Circuit Court refund and pay to the complainant all such sums of money over and above the said last mentioned sum of $2.00 as they or either of them shall have received from the said complainant on account of the purchase of said property together with legal interest thereon from the time or times at which they were so received by the said defendants, and that the said defendants shall on or before the same day of the same term of the said Circuit Court cancel and deliver up the notes and securities given for the payment of any and every portion of the excess over and above the said $2.00. And this Court doth further order adjudge and decree that the said defendants do pay the costs

in this Court upon this appeal and all the Costs which have accrued in this cause in the said Circuit Court or which may accrue thereon in carrying out the decree of this Court And this Court doth further order adjudge and decree that this cause be and the same is hereby remanded to the said Circuit Court with instructions to cause this decree into effect, and with power to make all such orders and decrees as may be necessary for that purpose.

pr. Mr. Jus: Woodbury

Dissenting, Mr. Ch: Jus Taney,
Mr Jus: McLean
Mr Jus Grier

Wm. M Nathan Appellant &c. vs. The State of Louisiana	In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by Counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with Costs,

pr Mr Jus: McLean.

Isaac Peach Treasurer of the Mint &c. Appt vs The County of Philadelphia	defendant in Error moved the Court for an order directing the Clerk to issue a mandate forthwith in this case. On consideration whereof it is ordered by the Court that the Clerk do issue a mandate in this case as soon as practicable

Charlotte Taylor by James M. Walter her next friend - Appt vs James Taylor &c.	The argument of this cause was continued by Mr Hoskins for the Appellant and by Mr Merrick & Johnson for the Appellee

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice

John McLean
James M. Wayne
John Catron Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire. Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Genl Ward. It is ordered that Marcius L. Cobb Esquire, of New York be admitted to practice as an Attorney and Counsellor of the Court, and he was sworn accordingly.

Anna Tufts. Appt vs. Charles Tufts and Emerson Wheeler	On appeal from the Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and it appearing to the Court here that the parties by their respective Counsel have filed an argument that the decree of the said Circuit Court in this cause should be affirmed without cost. It is therupon now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed and that each party pay his own costs in this Court

Mr Chief Justice Taney

Charlotte Taylor, by James M. Walker, her next friend vs. Appt Joseph Taylor & ac.	The argument of this cause was commenced by Mr. [illegible] for the Appellant.
Edmund B. Caldwell vs. Appellee The United States	The argument of this cause was commenced by Mr Fallon for the plaintiff in Error, continued by Mr Johnson, Attorney General for the defendants in Error and concluded by Mr Fallon for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice

John A. McLean
James Mc. Kinley
John Catron
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier
Associate Justices

Richard Wallach Clerk pro tem
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion just made to the Court in this behalf by Mr Gall. It is ordered that D. Hawks Esquire, of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

Thomas H. McClanahan, admr of William J. McClanahan, decd	On appeal from the Circuit Court of the United States
30 vs. Appts	for the District of Columbia holden in and for the County
Richard Davis, William D. Null admr of George Coleman decd Elizabeth Blacklock widow and relict of Nicholas Lt Blacklock decd Appts	of Alexandria

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Alexandria, and was argued by Counsel. On Consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.—

per Mr Justice Nelson.—

Edmund F. H. Gibson for pltf in E.	This cause was argued by
37 vs.	Mr Key, Mr Purvis & Mr Reed
Bradford B. Stevens	for the plaintiff in Error and

submitted on a printed argument by Mr Bright for the defendant in Error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esqr. Marshal

William Thomas Carroll Clerk.

Proclamation being made the Court is opened

	Edmund J. H. Gibson	The argument of this cause
37	vs. Appellee	was concluded by Mr Wood
	Bradford B. Stevens	for the plaintiff in Error

	Thomas Williams admr &c.	The argument of this cause
38.	vs. Appt	was commenced by Mr Stanton
	Benedict & Benedict	for the Appellant.

	Thomas Williams admr &c	On motion of Mr Hackleton
38	vs Appt	it is ordered that he have
	Jeremiah G. Brevoort	leave to file a printed ar-

gument in behalf of the appellees within ten days, and that Mr Stanton have leave to reply within ten days thereafter orally or in print as he may prefer

	John R. McFarland, admr &c.	This cause was argued by
39	vs pffs in Er	Messrs Laurence & Badger
	Virgil McKnight	for the plaintiffs in Error and

submitted on a printed ar- gument by Mr Bibb for the defendant in Error.

Proclamation being made the Court is adjourned until tomorrow morning, at Eleven Oclock.

Friday January 11th 1856.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice

John McLean
James McKinley
John Catron
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier
} Associate Justices

Richard Wallach Esquire, Marshal

William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Johnson, Attorney General, It is ordered that P. Francis Smith Esquire, of Pennsylvania, be admitted to practice as an Attorney and Counsellor of the Court, and he was sworn accordingly,

On motion first made to the Court in this behalf by Mr Gamble It is ordered that James Whitcomb

Esquire, of Indiana, be admitted to practice as an Attorney and counsellor of this Court, and he was sworn accordingly.

Francis Surgett. Ap/ft vs P. M. Lapice & Thomas Alexander Curator for the heirs of Edward Whitlesey, decd	On appeal from the Circuit Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record of the Circuit Court of the United States for the District of Louisiana and was argued by Counsel. On consideration whereof. It is ordered that the decree of the Circuit Court be reversed, and that this cause be remanded to that Court with directions to enter a decree for the plaintiff in reconvention, Surgett, and that Court shall cause a survey to be made under its direction laying off the back land to Lots Nos 28, 29, 30, 31, 32 & 33, according to the practice in use in like cases in the Surveyor's Offices in Louisiana: And it is further ordered that said Surgett may be deemed to be the legal owner of said land to the intent that the lands of said Peter M. Lapice, and the heirs of Edward Whitlesey interfere with a survey legally made of said back lands, and that said Lapice and the representatives of said Whitlesey be decreed to convey to said Francis Surgett such parts of the lands included in the survey, as are embraced by any of the entries, or

grants set forth in the original petition of said Lapice and Whittlesey; and that said Burnett may be quieted in his title and possession of the lands hereby decreed. And it is further adjged that said Lapice and Whittlesey's representatives recover from said Francis Burnett after the rate of one dollar and twenty five cents per acre for all the land that they are deprived of by this decree with interest on said sum after the rate of five per centum per annum from the 10th day of May 1836 until paid; and that said amount shall be ordered to be paid forthwith into Court subject to the order of said Lapice and Whittlesey representatives, nor shall said decree be executed until the money is paid. And it is further ordered that said Lapice and Whittlesey's representatives shall pay the costs of the appeal to this Court, but that the costs of the Circuit Court which have already accrued, and such as may hereafter accrue, shall be adjudged by the Court below on a future hearing, as law and justice may require. And it is further ordered that in all matters that may arise in said cause and in respect to which no special direction are given by this decree the Circuit Court shall proceed according to the law and equity of the various matters presented, without being restrained by this decree.

Friday, January 11th 1850. Continued.

The Lessee of Jacob Cheesman &al pffs in Er vs. Thomas Watson	In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

32.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by Counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Jus. McLean.

Henry H. Boody and Nathan Muller — pffs in Er vs. The United States	On a writ of Error to the Circuit Court of the United States for the District of, Maine.

40.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine. and it appearing to this Court here upon an inspection of the transcript of the record in this cause that this writ of error is sued out and prosecuted in the names of Henry H. Boody and Nathan Muller and that the judgment of the said Circuit Court is a joint judgment against them and one Thomas Todd, and there has been no summons and severance

in the case. It is therefore now here ordered and adjudged by this Court that the writ of error be and the same is hereby dismissed

per the Court

41. Adam Wells &c. vs. Register St Clair County &c. — This cause was argued by Messrs Daniel Webster for the plaintiffs in Error.

42. John Maxwell Appt vs. Joseph T Kennedy &c. — This cause was submitted to the Court on the record and printed arguments by Messrs Pierpont and Wells for the Appellant and by Mr Sherman for the Appellees

43. Bolen Stricklin Appt vs. Augustus Bonaffé &c. — This cause having been called for argument and no counsel appearing ready to proceed with the same. It is therefore now here ordered by the Court that this cause be and the same is hereby perempted to the foot of the docket under the 36th rule of Court.

Friday, January 11 1850 continued.

Fridram Clark Esq. claimt of the Barque Susan W. Pond - Appo. vs Nathaniel Barnwell Esq	Mr Pessenden of Counsel for the Appellants moved the Court to rescind the order docketing and dismissing this appeal, and for leave to file the record. Whereupon the Court not being now here sufficiently advised of and Concerning, what order to make in the premises, but have to consider

The State of Pennsylvania vs Comps The Wheeling & Belmont Bridge Company. William Ellerson & George Croft.	On motion of Mr Johnson of Counsel for the defendants and upon the assent of the Watcher of Counsel for the Complainant. It is now here ordered by the Court that this Cause be set down for argument on the last Monday of February next.

Proclamation being made the Court is adjourned until Monday morning at Eleven O'Clock.

Pursuant to adjournment the Court met this day at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
John Catron Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion duly made to the Court in behalf by Mr. Reed It is ordered that Selah Mathews Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court, and he was duly accordingly

Marsh Lee & Delavan. Pltffs in Er.	The argument of this cause
45 vs.	was commenced by Mr. Reed
Thomas L. Reddick's heirs	for the plaintiffs in Error

Continued by Messrs Mac and Geyer for the defendants in Error and by Mr Wood for the plaintiffs in Error.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	Associate Justices
	James M. Wayne	
	John Catron	
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire, Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

James Phalen	Pff in Er	In Error to the General
	vs	Court of Virginia
23. The Commonwealth of Virginia		

This cause came on to be heard on the transcript of the record from the General Court of Virginia, and was argued by Counsel On Consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said General

Court of Virginia in this cause, be and the same is hereby affirmed with costs.

per Mr Jus: Grier

The United States. Appellee vs. Mc Kean Buchanan.	In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by Counsel. On Consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court affirming the judgment of the District Court in this cause, be and the same is hereby reversed. and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a disaffirmance of the judgment of the District Court and to remand this cause to the said District Court with directions to that Court to award a venire facias de novo and for further proceedings to be had therein in conformity to the opinion of this Court.

per Mr Jus: Woodbury

Dissenting Mr Jus: McLean
Mr Jus: Grier.

Mr Justice Wayne did not sit in this cause.

On motion first made to the Court in this behalf by Mr Wood. It is ordered that John H. Flanagan Esquire, of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly;

Marsh. Lee & Delavan 43. vs. appts Thomas F. Reddick's heirs	The argument of this cause was concluded by Mr Wood for the plaintiff in Error.
Joseph S. Kennedy, trustee &c & Henry Shultz. appts 30. vs. The Bank of Georgia &c	On motion of Mr Webster of counsel for the appellants and upon the assent of Messrs Johnson & McAllister of counsel for the appellees

It is now here ordered by the Court that this cause be postponed to and argued in connection with No 29 between the same parties.

Charles A. Williamson &c 29. vs. appts Joseph Berry	The argument of this cause was commenced by Mr Field for the plaintiffs and continued by Mr Jay for the defendant.

Proclamation being made the Court is adjourned until tomorrow morning, at Eleven O'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
[illegible]
James M. Wayne
John Catron Associate
Peter V. Daniel Justices
[illegible]
Levi Woodbury
Robert C. Grier

Richard Wallach Esqre. Marshal
William [illegible] Esqre. Clerk

Proclamation being made the Court is opened

Eustram Clark [illegible] claimt of the Barque Susan Vs Libel
244 Vs Appt
Nathaniel Barnewell [illegible]

On consideration of the motion made in this cause by Mr Key counsel for the day of the present term of this Court, it is ordered on Friday the 18th instant. to rescind the judgment of this Court docketing and dismissing the appeal and for leave to file and docket the same. It is now here ordered by

the Court that the decree of this Court declaring and dismissing this appeal with costs, entered on a previous day of the present term of this Court, viz, on Friday the 11th instant, be and the same is hereby rescinded and annulled upon the payment of the costs by the Appellants and upon their having their record filed and case docketed in conformity to the rules of this Court.

per Mr Ch. Jus. Taney.

Charles A. Williamson Surviv. &c. pltf vs Joseph Berry,	The argument of this cause was continued by Mr Jay for the defendant and concluded by Mr Field for the pltf in Error.

Charles A. Williamson Surviv. &c. pltf vs the Dutch Presbyterian Congregation of the City of New York	The argument of this cause was commenced by Mr Field for the plaintiffs and continued by Messrs Jay and Wood for the defendants.

Charles A. Williamson Surv. &c. pltf vs George Wall	The argument of this cause was commenced by Mr Field for the plaintiffs and continued by Messrs Jay and Wood

for the Defendant

Proclamation being made the Court is adjourned until tomorrow morning at Eleven Oclock

Thursday January 17th 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice

John McKinley
James McKayne
John Catron Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Seward. It is ordered that Daniel B. Taylor and Henry H. Byrne Esquires of New York be admitted to practice as Attorneys and Counsellors of this Court. and they were severally sworn accordingly.

46	Charles J. Williamson Esqr. vs. The Irish Presbyterian Congregation of the City of New York pltffs	The argument of this cause was continued by Mr Wood for the defendants and by Mr Webster for the plaintiffs.
47	Charles J. Williamson Esqr. vs. George Ball pltffs	The argument of this cause was continued by Mr Wood for the defendants and by Mr Webster for the plaintiffs.

Proclamation being made the Court is adjourned until to morrow morning at Eleven O'Clock.

Friday January 18th 1850.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	Associate Justices
	James M. Wayne	
	John Catron	
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury dec'd	
	Robert C. Grier	

Richard Wallach Esquire. Marshal
William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

Henry Wheaton Esq - Appt 44 vs Richard Peters Esq.	On consideration of the application of Mr Biddle, no counsel appearing to oppose it, it is now here ordered by the Court that his motion of the 5th instant be and the same is hereby postponed to Friday the 1st proximo.

	Charles A. Williamson Exec.	The argument of
46.	vs. Jeffs.	this cause was concluded
	The Irish Presbyterian Congregation of the City of New York	by Mr Webster for the plaintiffs

	Charles A. Williamson Exec.	The argument of
47.	vs. Jeffs.	this cause was concluded
	George Ball	by Mr Webster for the plaintiffs

	Adams Daniels Exec.	This cause having
49.	vs. Appts.	been called for [illegible]
	Samuel Warner	and no counsel appearing ready to proceed with the same It is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of Court.

	John D. Maurrell Exec.	The argument of this cause was
51.	vs. Appts.	commenced by Mr Mayer for the
	Alexander Noell Exec.	Appellants and continued by Mr Brown for the appellees

Proclamation being made the Court is adjourned until Monday morning at Eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney. Chief Justice

John McLean
James Mc. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Levi Woodbury, J.
Robert C. Grier
} Associate Justices

Richard Wallach Esquire. Marshal.

William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Johnson. Attorney General. It is ordered that Nathan G. King, Esquire of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Featherston. It is ordered that John W.

Goode. Esquire. of Mississippi. be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Baldwin. It is ordered that Clinton Seeley Esquire. of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

Adam Mills &c. plffs in Error		This cause was
41.	ins	submitted to the Court
The County of St Clair &c		on a printed argument by

Mr Barnes on behalf of the defendants in Error.

John C. Mowrell &c.		The argument of
51.	vs. Appl.	this cause was continued by
Abram Shull &c		Messrs [illegible]

for the Appellees and by Mr. Johnson. Attorney General. for the Appellants.

Proclamation being made the Court is adjourned until to morrow morning at 10 o'clock.

Tuesday January 22d. 1850.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James Mc. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier.	

Richard Wallach Esquire. Marshal.

William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

34.	Jonathan M. Tod petitioner vs. The proprietors of Locks & Canals on Merrimack River	In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts

and was argued by Counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr. Justice Grier

Lewis Bissell. plff in Er		In Error to the
25.	vs.	Circuit Court of the United
Mary B. Penrose		States for the District of
		Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Nelson.

John D. Murrell &ac		The argument of
51.	vs. Appls	this cause was concluded
Alexander Neill &ac		by Mr Attorney General
		Johnson for the Appellants.

33.	Thomas Williams, admr. &c. Appt. vs. Benedict & Benedict	This cause was submitted on printed argument by Mr Featherston for the Appellees and argued by Mr Stanton for the Appellant.

52	Daniel Grove. Appt. vs. John McP. Bruns Exr. &c. Ae	The argument of this cause was commenced by Mr Davis for the Appellant

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esqr. Marshal

William Thomas Carroll, Clerk

Proclamation being made the Court is opened

Edmund B. Caldwell &c.		In Error to the Circuit Court of the United
36	No.	States for the Eastern District
The United States		of Pennsylvania

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel On consideration whereof It is now here ordered and adjudged by this

Court that the judgment of the said Circuit Court affirming the judgment of the District Court in this cause be and the same is hereby reversed. and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a disaffirmance of the judgment of the District Court and to remand this cause to the said District Court with directions to that Court to award a venire facias de novo and for further proceedings to be had therein in conformity to the opinion of this Court.

Jo Mr Jus. Wayne.

United States Appt vs. 32 John McPherrins Exr &c	The argument of this cause was continued by Mr Davis for the Appellant, by Messrs Smith & Meredith for the Appellees and by Mr Davis for the Appellant.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'clock

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
John Catron Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court on this behalf by Mr Griffin It is ordered that H. Binney Brewne Esquire of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

52.	Daniel Grove. Appt vs. John McDonough Bruns upt & al.	The argument of this cause was concluded by Mr. Davis for the Appellant.
53.	John Nisbet. Appt vs. Joseph Smith & wife	The argument of this cause was commenced by Gen. Jones for the Appellant, and continued by Mr. Neale for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice

John McLean
James M. Wayne
John Catron
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Chase. It is ordered that William A Ronalds, Esquire, of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

174	John H. Bennett Jeff in Er vs Samuel F. Butterworth	The motion to dismiss this cause was now argued by Mr. Hughes in support of the same.

69	Rene La Roche Wife &c vs Jeffs Lessee of Richard Jones Wife	Mr. Gilpin, of Counsel for the plaintiffs in Error suggested to the Court here that before this writ of error issued Richard Jones, one of the lessors of the plaintiff below, (defendant in Error here) was dead, and since the same has been pending here Mary Jones, the other lessor, (and defendant in error here,) and on whose alleged right to the premises in controversy this suit is founded, has also died. To which Mr. Morehead, of Counsel for the defendant in Error, contended that there was no necessity for making the heirs or devisees parties. Whereupon the Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

48.	John West Appt vs Joseph Smith Wife	The argument of this cause was continued by Messrs Neale & Davis for the Appellees and

Concluded by Mr. Jones for the Appellant.

Adam Mills Exr. &c. Appellants vs. St. Clair County Exr.	On motion of Mr. Webster of counsel for the plaintiffs in error It is now here ordered by the Court that leave be and the same is hereby granted him to submit within ten days a printed argument in reply to the argument submitted by Mr. Bruce in behalf of the defendants in error.
41	

Thomas B. Sheldon Exr. &c. Appellants vs. William E. Sill	Mr. Kenaga of counsel for the plaintiffs in error has moved the Court for an extension of the time for argument of this case as he had both to open the case and reply to a printed argument filed by Mr. Johnson for the defendant in Error. Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises doth farther consider
33.	

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire Marshal.

William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Johnson, Attorney General. It is ordered that Daniel Breck, Esquire, of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court. and he was sworn accordingly,

On motion first made to the Court in this behalf by Mr Gilpin. It is ordered that William G.

Whiteley, Esquire, of Delaware, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

Eli Clark, William Green and Hugh McGill, Appellants, vs. The President Directors and Company of the Manufacturers Insurance Company. } In error to the Circuit Court of the United States for the District of Mass

105

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs for the purposes of correcting, what is defective in the manner of stating how the verdict was taken and how the last question stood by itself on the facts proved, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

per Mr Jus Woodbury.

	Thomas C. Sheldon & wife.	This cause was argued by
53.	vs. Appt.	Mr Romeyn for the appellants
	William E. Sill	and submitted on printed
		argument by Mr Ashmun
	for the Appellees	

	Jacob Le Roy. pltff in Er.	The argument of this cause
54.	vs.	was commenced by Mr Blunt
	David C. B. Baldwin	for the plaintiff in Error and
		continued by Mr Seeley for
	the defendant in Error.	

	Jacob Le Roy. pltff in Er.	The argument of this cause
55.	vs.	was commenced by Mr Blunt
	William Beard	for the plaintiff in Error and
		continued by Mr Seeley for
	the defendant in Error	

	Jacob Le Roy. pltff in Er.	The argument of this cause was
56.	vs.	commenced by Mr Blunt for the
	Theophilus Nichols	plaintiff in Error & continued by
		Mr Seeley for the defendant in Error.

Proclamation being made the Court is adjourned until
to morrow morning at Eleven O'clock.

Pursuant to adjournment the Court met this morning, at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James Mc. Kinley
John Catron Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Thomas Williams. admr of. Benjamin J. Baldwin, decd.		On appeal from the District Court of the
35.	vs. Appt	United States for the
John W. & William Benedict trading, under the firm & style of Benedict and Benedict.		Northern District of Mississippi.

This cause came on to be heard on the transcript of the record from the District

Court of the United States for the Northern District of Mississippi, and was argued by Counsel. On consideration whereof, It is now here ordered and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said District Court with directions to enter a decree in favor of the complainant confirming the Injunction in this cause and for such further proceedings in conformity to the opinion of this Court as to law and justice may appertain.

per Mr Jus: Grier.

Charlotte Taylor by James M. Walker her next friend - Appt

vs.

James Taylor Julia Ann Godfrey Barnesley and Julia Barnesley his wife Joseph Searbrough, William Searbrough, Robert M. Goodwin, Norman Wallace & Andrew J. Miller

On appeal from the Circuit Court of the United States for the District of Georgia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Georgia, and was argued by Counsel.

On Consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed

with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to decree therein in conformity to the opinion of this Court.

Per Mr Justice Wayne

Dissenting; Mr Justices Nelson & Greenbury

54	Jacob Le Roy pltff in Er. vs. David V B. Baldwin	The argument of this cause was continued by Messrs Seeley and Baldwin for the defendant in Error
55	Jacob Le Roy pltff in Er. vs. William Beard	The argument of this cause was continued by Messrs Seeley and Baldwin for the defendant in Error.
56	Jacob Le Roy. pltff in Er. vs. Theophilus Nichols	The argument of this cause was continued by Messrs Seeley and Baldwin for the defendant in Error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock.

Wednesday January 9th 1850.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney -	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire, Marshal,
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr Johnson, Attorney General, It is ordered that James H McCulloh, Esquire, of the District of Columbia, be admitted to practice as an Attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr Whitcomb It is ordered that R. Crawford

Esquire, of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion just made to the Court in this behalf by Mr Inge. It is ordered that William A Curtis, Esquire, of New York, be admitted to practice as an Attorney and counsellor of this Court, and he was sworn accordingly.

Mary McFarland and John Ferguson, admrs of John K McFarland Richard Pindell adm of A. Kirkpatrick Monroe Quarrier, William Christopher, Jacob Rapnear & Jacob Darneal Appts. vs. Virgil McKnight.

In error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record of the Court of Appeals of the State of Kentucky, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be and the same is hereby affirmed with costs.

By a divided Court.

39

54	Jacob Le Roy pltff in Er vs. David C. B. Baldwin	The argument of this cause was continued by Mr Baldwin for the defendant in Error and concluded by Mr Webster for the plaintiff in Error.

55	Jacob Le Roy pltff in Er. vs. William Beard	The argument of this cause was continued by Mr Baldwin for the defendant in Error and concluded by Mr Webster for the plaintiff in Error.

56.	Jacob Le Roy pltff in Er. vs. Theophilus Nichols	The argument of this cause was continued by Mr Baldwin for the defendant in Error. and concluded by Mr Webster for the plaintiff in Error.

57	Moses Wanzer pltff in Er vs. Tupper and Rollins	This cause was argued by Mr Core for the plaintiff in Error.

The United States Appt.	Thereupon filed by
38. vs.	Messrs Mason and [illegible]
Joseph Raynes.	to dismiss the cause [illegible]
	[illegible] by them on account

thereof and by Mr. Mason Counsel Johnson appeared & [illegible]

Proclamation being made the Court is adjourned until to-morrow morning [illegible]

Thursday January 21st 1836.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	Roger B. Taney	Chief Justice
	John Mc Lean	
	James Mc. Wayne	
	John Catron	Associate
	Peter V Daniel	Justices
	Samuel Nelson	
	Levi Woodbury &	
	Robert C. Grier.	

Richard Wallach Esquire, Marshal.

William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

Adam L. Mills plaintiff	In Error to the Circuit
36. vs	Court of the United States
Simeon Stoddard, Daniel Stoddard	for the District of Mis-
Joseph Bunnell & Lucy his wife.	souri.
Jonas Foster & Lavina his wife.	
Lucy Hoxie and Daniel Hoxie	This cause came
and Avon his wife	on to be heard on the tran-
	script of the record from

the Circuit Court of the United States for the District of Missouri and was argued by Counsel On Consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Jr. & Mr. Justice McLean.

The United States	Appl.	On consideration of the
58	vs.	motion made in this cause
Joseph Reynes		yesterday by Mr. Justice Wayne and Mr. Justice McKinley that

cause because the citation was made returnable the first Monday of February instead of the first Monday of December, and of the argument of Counsel thereupon had as well in support of as against the motion. It is the opinion of this Court that it appears from the record that the appeal in this case was prayed and allowed in open Court and that therefore no citation was necessary. Whereupon it is now here ordered by the Court that the said motion be and the same is hereby overruled.

	The United States. Appts	The argument of this cause
88.	vs.	was commenced by Mr. John-
	Joseph Reynes	-son, Attorney General, for the
		Appellants and continued

by Messrs. Mary and Brent for the Appellee

	Thomas C. Boswell's Lessee	This cause was submitted to
81.	vs. Defts.	the Court on the record and
	Rodolphus Dickinson &c	printed arguments by Mr.
		Ewing, for the plaintiff and

by Mr. Stanbury, for the defendants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice

John McLean
James M. Wayne
Chas Catron
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Raymond Cross Esq
William Thomas Carroll Clerk.

Proclamation was made & the Court adjourned

Jacob P. Wilson Compt
vs
Daniel Barnum

This cause was submitted to the Court on the printed arguments of Mr Wayne for the Complainant and Complainant's Counsel and Complainant for the Complainant, and by Messrs Hurst and Alexander for the defendant.

194	John H. Bennett. plff in Error vs. Samuel L. Butterworth	Mr Harris of counsel for the plaintiffs in Error now proceeded to argue in opposition to the motion submitted by Messrs Howard and Hughes to dismiss the writ of error. which Mr Hughes in support of the motion replied.

51	Thomas E. Boswell's Lessee vs. pfs. Nedostinus Dickinson &c.	Mr Ewing submitted an additional argument in behalf of the plaintiffs in this case.

111	Nathaniel Lord. pfs in Er vs. John M. Veazie	On motion of Mr Bradbury it is now here ordered by the Court that the argument of the motion to dismiss this case be and the same is hereby postponed to the 8th instant. and that the counsel respectively furnish printed abstracts under the 31st rule of Court.

227	John L. Baldwin. Appt vs. Charles Ely.	This cause was submitted to the Court on the record and printed argument by Mr Bibb for the Appellants and Mr Bradley for the Appellee.

The United States	Appl	The argument of this cause
55. vs.		was continued by Mr. [illegible]
Joseph Haynes		for the appellee and by
		[illegible]

for the appellant

Proclamation being made the Court adjourned
until Monday morning at eleven O'Clock

Monday February 4th 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney. Chief Justice

John McLean
James M. Wayne
John Catron — Associate
Peter V. Daniel — Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire. Marshal

William Thomas Carroll. Clerk.

Proclamation being made the Court is opened

The United States	Appt.	The argument of this
vs		cause was concluded by
Joseph Haynes		Mr Attorney General Johnson
		for the Appellants

38.	Joseph J. Kennedy. Trustee & Henry Shultz. Appls. vs. The Bank of Georgia &c. and	The argument of the causes was commenced by Mr. Thompson for the appellants and continued by Mr. Mr. Alister for the appellees
39.	Joseph J. Kennedy Trustee & Henry Shultz. Appls vs. The Bank of Georgia &c.	

Proclamation being made the Court adjourned until tomorrow morning at ten o'clock.

Tuesday February 5th 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice.

John McLean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier
Associate Justices

Richard Wallach Esquire, Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Timothy Walker. It is ordered that Timothy C. Lincoln Esquire of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

42. John Maxwell admr de bonis
non of Robt Maxwell dec^d.
vs. Appl
Joseph L. Kennedy Exr
Carter Lewis. Daniel B. Hale
Lewis & Martha M. Kennedy.

On appeal from the Circuit Court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and was argued by Counsel On consideration whereof It is now here ordered and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Catron

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39. Joseph L. Kennedy Trustee
&c. & Henry Shultz. Appls
vs
The Bank of Georgia &c.

The argument of Counsel

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39. Joseph L. Kennedy Trustee
&c. & Henry Shultz. Appls.
vs.
The Bank of Georgia & al

Walker & McAllister Jones & Johnson Attorneys &c for the appellants

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable [illegible] Judges

[illegible]

Richard Ratliff Esquire [illegible].

William [illegible] Esquire Clerk.

Proclamation being made the Court opened

Adam Mills Pet. Petitioner vs St Clair County Def.	Mr Webster submitted an additional printed argument in behalf of the plaintiffs, to be filed in this Cause

41

Wednesday February 6th 1850 continued

50.	Joseph J. Kennedy. Trustee &c & Henry Shultz - Appts vs The Bank of Georgia &ac	
	and	
51.	Joseph J. Kennedy. Trustee &c & Henry Shultz - Appts vs The Bank of Georgia &ac	The argument of these cases was continued by Mr Attorney General Johnson and Mr Sergeant for the appellees.

Proclamation being made the Court is adjourned until to-morrow morning at Eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice

John A. M'Lean
Joseph Story
John Catron
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Henry Dana
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Johnson, Attorney General It is ordered that Matthew D. Gilbert Esqr of the City of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr A. P. Butler, It is ordered that

William R. Joynes, Esquire, of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

Judith Maxwell, Peter Menard, Vernon Chouteau, George H. Kennedy & Josiah his wife, Edmund Menard, Laveau Menard, Cyprian Menard, John Radford & Sophie his wife, heirs of Amelia Menard, deceased.	In error to the Circuit Court of the United States for the District of Missouri.
24 vs. Jessie Samuel Massey	This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri, and was argued by counsel.

On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Catron.

Joseph J. Kennedy, Trustee &c. & Henry Shultz. Appts
vs.
The Bank of Georgia Respt

The argument of this cause was continued by Mr Dargan for the appellants and by Messrs Butler & Simpson for the respondents.

Joseph J. Kennedy, Trustee &c. & Henry Shultz. Appts
vs.
The Bank of Georgia Respt

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice

John McLean
James M. Wayne
John Catron — Associate
Peter V. Daniel — Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Johnson, Attorney General, It is ordered that William H. Lepson & J. Adair Pleasants, Esquires, of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were severally sworn accordingly.

The company for erecting & supporting a toll-Bridge with locks from Enfield to Suffield vs. The Hartford & New Haven Rail Road Company.	In error to the Supreme Court of errors of the State of Connecticut.

78. This cause coming on to be heard on the transcript of the record of the Supreme Court of errors of the State of Connecticut and it appearing to the Court here that the counsel of the respective parties have filed a stipulation in writing, that the writ of error shall be dismissed at the costs of the plaintiffs in error. It is therefore now here ordered and adjudged by this Court, on the motion of Mr. Baldwin of Counsel for the defendants in Error, that this cause be and the same is hereby dismissed with costs.

John H. Bennett. petitioner vs. Samuel F. Butterworth	In error to the District Court of the United States for the District of Iowa.

194. On consideration of the motion made by Messrs Howard and Hughes, on a former day of the present term of this Court, to wit: on Friday the

23d day of January last past. to dismiss this writ of error for the want of jurisdiction, and of the arguments of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that the said motion be and the same is hereby overruled.

for Mr Ch Jus: Taney.

Dissenting, Mr Jus: Daniel.

30.	Joseph J. Kennedy. Trustee &c. & Henry Shultz Appts vs The Bank of Georgia &c and Joseph J. Kennedy. Trustee &c. & Henry Shultz. Appts. vs. The Bank of Georgia	The argument of these cases was concluded by Mr Webster for the Appellants.
177	Nathaniel Lord. pltff in Er vs John M. Veazie	The argument of the motion to dismiss this cause was commenced by Mr Moore in support of the motion.

Proclamation being made the Court is adjourned until Monday morning at eleven O'Clock.

Pursuant to adjournment the Court met this day at the Capitol

Present

The Honorable Roger B. Taney Chief Justice

John A. Nelson
James M. Wayne
Chas. Catron Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Coxe Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is open

Nathaniel Lord plff in Er
vs
John W. Veazie

177

The motion to dismiss this cause for want of jurisdiction is argued by Mr. [illegible] in support and by Mr. [illegible] contra

Adjourned until Wednesday 12 o'clock

Mr. L. Worcester &c. pltffs.	The argument of this cause
60: vs.	was commenced by Mr.
Joseph Hunter	Browne for the defendant
	in Error.

Proclamation being made the Court is adjourned until
to-morrow morning at Nine o'Clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice

John McKean
James M. Wayne
John Catron } Associate
Peter V. Daniel } Justices
Samuel Nelson
Levi Woodbury
[illegible]

Richard Wallach Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Hallet. It is ordered that Samuel Jones Dunlap Esquire of New York be admitted to practice as an attorney and Counsellor of this Court, and he was accordingly.

On motion first made to the Court in this behalf by Mr Underwood. It is ordered that John H

Stevenson Esquire, of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly,

	John West Appt.	On appeal from the Cir-
48.	vs.	cuit Court of the United
	Joseph Smith Appe	States for the District of,

Columbia holden in and for the County of Alexandria.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Alexandria, and was argued by Counsel. On Consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Justice Wayne

	John L. Morrell & The Bank	On appeal from the Circuit
	of New Orleans. Appts	Court of the United States
51.	vs.	for the District of Maryland
	Alexander Neill & William	
	F. Somerville.	

This cause came on to be heard on the transcript

of the record from the Circuit Court of the United States for the District of Maryland, and was argued by Counsel On Consideration whereof [illegible] and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice [illegible]

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45. Samuel Marsh, William Lee & Edward W. Clevenson vs. Appellees

Edward Wells Hayman & Brooks his wife, Charles F. Bellen & Frances C. Bellen his wife, Walter J. Reddick Shubury & Reddick sons of Thomas F. Reddick deceased.

In error to the Supreme Court of the territory of Iowa

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Iowa, and was argued by Counsel On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded for further proceedings to be had therein conformably to the opinion of this Court.

per Mr Justice Baldwin

	Moses Ranzer Appellee	In error to the Circuit Court
57	vs	of the United States for the
	Rollins & Tupper & John H Rollins under the firm of Tupper and Rollins.	Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On Consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with direction to award a venire facias de nov.

pr Mr Ch: Jus: Taney.

	Wm L. Armenster &c. Appellee	The argument of this cause
60	vs	was concluded by Mr Brown
	Joseph Fenton	for the defendant in Error.

	William C. Neves &al. Appts	The argument of this cause
61	vs	was commenced by Mr Walker
	William T. Scott's admr &ac	for the Appellants.

Proclamation being made the Court is adjourned
to tomorrow morning at eleven Oclock

Wednesday February 15 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury dec'd	
	Robert C. Grier.	

Richard Wallach Esquire, Marshal.

William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in their behalf by Mr Johnson, Attorney General, It is ordered that Walter M. Underhill, James R. Laurence, and Redman L. Price, Esquires, of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were severally sworn accordingly.

Rule № 56.

Ordered that printed arguments under the fortieth rule shall not hereafter be received unless filed within the first ten days of the term.

The Chief Justice announced to the Bar (in pursuance of the 54th rule) that the Court would take up no case for argument after the 1st day of March. That it would then adjourn to the first Monday in April, and then continue its session to the 5th of June next.

William G. Neves &c.		The cause was argued by
61.	vs Appts	Mr. Justice Nathan C. Johnson
William H. Scott's adm.x &c.		Attorney General for the

Appellees and on the

on a printed argument by Mr. A. M. Keese for the Appellees.

William H. Irwin		The argument of this cause
63.	vs Appts	was commenced by Mr. Cass
George C. Dixon &c.		for the Appellant.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'clock.

Pursuant to adjournment the Court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James Mc Kinley	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire, Marshal.
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

Edmund F. M. Gibson. appellant	In error to the Cir
37. vs.	cuit Court of the United
Bradford, B. Stevens	States for the District of
	Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by Counsel. On Consideration whereof It is now here ordered and adjudged

by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

William H. Irwin - Appt.	The argument of this
63 vs	cause was continued by
George C. Dixon &c	Messrs Smith & Hunter,
	for the Appellee.

Proclamation being made the Court is adjourned until tomorrow morning at ten o'clock.

Friday, February 15th 1850.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire, Marshal.

William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr Ewing, It is Ordered that Charles M. Russell, Esquire, of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

Samuel Sample Esq.	Appl.	The motion to dismiss this
224.	'vs.'	case was argued by Mr
Shadrach Barnes		Howard in support thereof

and by Mr Walker against the same

Samuel Sample &c (ds) Appts. Shadrach Barnes	254	Mr Walker of Counsel for the Appellants having filed and read in open Court a Memorandum of the record in this case in this word "That the copy of record does not show except by the appeal bond that an appeal was properly prayed and granted in open Court" Reason of which omissions and errors aforesaid said Counsel now here moved the Court to award a writ of Certiorari to the Judge of the District Court of the United States for the Southern District of Mississippi requiring them that searching the records and proceedings of said Court in this cause they shall certify to this Court whatever omissions and errors shall be found. Which motion was opposed by Mr Howard of Counsel for the Appellees. Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.
Thomas E. Boswell's Lessee. (ds) Appts. Redcephus Dickinson &c	81	Mr Ewing of Counsel for the plaintiff having suggested the death of Redcephus Dickinson one of the defendants

Friday, February 15th 1850 continued

since the last continuance of this cause, and having filed the appearance of Lucius B. Otis, administrator, Margaret Dickinson, widow, and Edward F., Julia L., Margaret C., John B. B., Rodolphus, Martha Jane, and James A. Dickinson minor children of the said Rodolphus Dickinson by L. O. Rawson their guardian and next friend; now here moved the Court that the appearance of the said personal representatives be entered as co-defendants in this cause. On consideration whereof, and with the assent of the Counsel for the defendants filed herein, It is now here ordered by this Court that the appearance of the said Lucius B. Otis, administrator, Margaret Dickinson, widow, & Edward F., Julia L., Margaret C., John B. B., Rodolphus, Martha Jane and James A. Dickinson minor children of the said Rodolphus Dickinson, by L. O. Rawson, their Guardian and next friend, the personal representatives of the said Rodolphus Dickinson deceased, be entered, and that they be and hereby are made co-defendants in this cause.

C. P. Mackie & Co. plaintiffs in Error vs. James H. Cocke	In error to the Supreme Court of Errors and Appeals for the State of Texas.

258.

Mr. Harris of Counsel for the defendant in Error having filed a transcript of the record of this

Cause duly certified by the Clerk under the Seal of the Supreme Court of Errors and Appeals for the State of Texas, and having stated that the plaintiffs in Error had altogether failed to file the record of said cause in this Court or in any other way to prosecute said writ of error now here moved the Court to have this writ of error docketed and dismissed. On Consideration whereof. It is now here Ordered and Adjudged by this Court that this writ of error to the Supreme Court of Errors and Appeals for the State of Texas be and the same is hereby docketed and dismissed with costs, and that this Cause be and the same is hereby remanded to the said Supreme Court of Errors and Appeals for further proceedings to be had therein in conformity to law and justice. The said writ of Error notwithstanding.

per Curiam

William H. Swain.	The argument of this cause
63 vs. Appt.	was concluded by Mr Davis
George O. Devion & ac	for the Appellant

Proclamation being made the Court is adjourned until Monday morning at Eleven O'Clock.

Monday February 18th 1850.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney.	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury &	
	Robert C. Grier	

Richard Wallach Esquire, Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

	The Widow Collard - plff in Er.	The argument of this cause
62.	vs.	was commenced by Genl
	Felix Grima &c.	Jones for the plaintiff in

error, continued by Mr. Coxe for the defendant in error, and concluded by Genl Jones for the plaintiff in error.

64 Hugo L. Plaintiff in person
Malloy Jane

The Assessment of Damages coming on to be heard before the Chief Justice and a Jury and continued by the Court for the Defendant in Error.

Declaration being read the Counsel for the Defendant in Error addressed the Court.

Tuesday February 19th 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice

John McLean
James M. Wayne
John Catron Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Seward. It is ordered that George W. Morell. Esquire, of New York, be admitted to practice as an Attorney, and Counsellor of this Court, and he was sworn accordingly.

33	Jacob Le Roy. Appellant vs William Beard	In error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

Js. M. Jus. Wayne.

Dissenting, M. Jus. McLean.

34	Jacob Le Roy. Appellant vs. David V. B. Baldwin	In error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and

the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

per Mr Jus. Woodbury.

Dissenting. Mr Jus. McLean.

Jacob Le Roy. Appellee vs. Theophilus Nichols	In error to the Circuit Court of the United States for the Southern District of New York.

56.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

per Mr Jus: Woodbury.

Dissenting Mr Jus: McLean.

12.	Daniel Greve vs. Isabel A. Baron. Exr of, John McP. Threadle, & Wm & Sarah R. L. Turner Exrs of, Robert Turner deceased.	Appl	On appeal from the circuit court of the United States for the District of Columbia holden in and for the County of Alexandria.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Alexandria and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

64.	George L. Hunter & ux. vs. Platoff Dunn	Appls	The argument of this cause was continued by Mr Webb for the plaintiffs in error

William Wheeler —	Appt.	The argument of this cause
65.	vs	was commenced by Mr
Charles Bennett Lewis Exr		Mason for the appellant
		and continued by Mr Davis

for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning, at eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice

John McLean
James M. Wayne
John Catron
Peter V. Daniel
Levi Woodbury
Robert C. Grier
} Associate Justices

Richard Wallach Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Johnson Attorney General It is ordered that Charles Bacon Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

57.	Messrs Wamper. &c. pltffs in Er vs Tupper & Rollins	Mr Mather moved the Court for leave to file and submit the printed argument of A. R Chipman Esquire. in behalf of the defendant in Error. Whereupon it is now here ordered by the Court that said motion be and the same is hereby overruled; the case having been decided on the 12th instant.
63.	William Wheeler Appt. vs Charles Bennett Exor &c	The argument of this cause was continued by Messrs Davis and Keye for the Appellees.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John [illegible]	
	James M. Wayne	
	[illegible] Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	[illegible]	

Richard Wallach Esqr. Marshal

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

Thomas C. Sheldon & Eleanor Sheldon his wife. Appts		On appeal from the Circuit Court of the United States for the District of Michigan.
53.	vs.	
William C. Sill		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Michigan, and was argued by Counsel. On consideration whereof It is now here ordered and decreed by this

Thursday February 21st 1850 continued

Court that this cause be and the same is hereby reversed for the want of jurisdiction in that Court, and that this cause be and the same is hereby remanded to the said Circuit Court with direction to dismiss the Bill of Complaint for the want of jurisdiction.

per Mr Jus. Daniel.

Adam L. Mills, &c. Appellants

vs

The County of St Clair & James Harrison

In error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by Counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr Jus. Catron.

Dissenting - Mr Jus. McLean.

Joseph S. Kennedy, Plaintiff in Error
Henry Shultz an insolvent debtor
and for the creditors of the said
Henry Shultz & Henry Shultz.

59 vs. Appeal from the
The Bank of the State of Georgia.
The City Council of Augusta
John McKenne and Fourmay & Cramer.

On appeal from the [illegible]
Court of the United States for
the District of Georgia

This cause came on to be heard on
the transcript of the record from the circuit court of
the United States for the District of Georgia and was
argued by Counsel. On consideration whereof it
is now here ordered, adjudged and decreed by this Court
that the decree of the said Circuit Court in this
Cause be and the same is hereby affirmed with
[illegible]
per Mr Justice McKinley

Joseph S. Kennedy. Trustee of Henry Shultz an insolvent debtor & for the creditors of the said Henry Shultz & Henry Shultz - Appts vs The Bank of the State of Georgia. the City Council of Augusta. John McKinne & Gazeway B. Lamar.	On appeal from the Circuit Court of the United States for the District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Georgia, and it appearing to the Court here that the transcript of the record filed by the Appellees is defective, and whereas this Court has this day decided the same case between the same parties on a correct transcript filed by the appellants. It is therefore now here ordered and decreed by this Court, that this case be and the same is hereby dismissed at the costs of the appellees.

for Mr Jus: McLean.

James Page. Collector &c. U.S. vs Deft Fleming, & Marshall.	On motion of Mr Attorney General Johnson. It is now here ordered by the Court that this cause be and the same is

193 hereby postponed to the adjourned term.

65.	William Wheeler Appt vs Charles Bennett Resp't &c.	The argument of this cause was concluded by Mr [illegible] on the appellant
66.	The United States - Appts vs Joseph Archer's Exrs	The argument of this cause was commenced by Mr Attorney General Grundy on the appellants.
67.	The United States - Appts vs Joseph Archer's Exrs	The argument of this cause was commenced by Mr Attorney General for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at 10 o'clock.

Friday February 2d 1836.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier.	

Richard Wallach Esquire, Marshal.

William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in that behalf by Mr Attorney General Johnson. It is ordered that William J. Cogswell Esquire. of New York. be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

Samuel Dample &c	On consideration &c. that
vs	petition of Admr. [illegible],
234 Appe.	the record in this case [illegible]
Shadrach Barnes	by Mr Walker, as a part [illegible]

of the present term of this Court, & will on Friday [illegible] inst. and of the motion for a writ of certiorari in this case, and of the arguments of Counsel thereon had as well in support of as against said motion, It is now here ordered and adjudged by this Court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Circuit Court of the United States for the Southern District of Mississippi [illegible] to certify under the seal of the said Circuit Court whatever omissions and errors shall be found in the case, and return the same with the writ of certiorari forthwith to this Court.

for Mr Ch: Jus: Taney.

Nathaniel Lord.	In error to the Circuit
vs) Appeal	Court of the United States
177 John M. Veazie	for the District of Maine

This cause came on to be heard on the transcript of the record from the Circuit Court of

of the United States for the District of Maine, and was argued by Counsel, and it appearing to the Court here from the affidavits and other evidence filed in the case by Mr. Moor in behalf of third persons not parties to this suit, that there is no real dispute between the plaintiff and defendant in this suit, but on the contrary that their interest is one and the same and is adverse to the persons aforesaid, it is the opinion of this Court that the judgment of the Circuit Court entered pro forma in this case, is a nullity and void and that no writ of error will lie upon it. On Consideration whereof it is now here ordered and adjudged by this Court that the writ of error be and the same is hereby dismissed, each party paying his own costs, and that this Cause be and the same is hereby remanded to the said Court to be dealt with as law and justice may require.

per Mr. Ch. Jus. Taney.

The State of Pennsylvania
vs
The Wheeling and Belmont Bridge Company &ac

2. It is now ordered by the Court that three hours be allotted to each of the Counsel on the argument of this cause and that only two Counsel be permitted to argue on either side.

	Samuel Sample &c.	It is now here ordered by
234	vs. Appls	the Court that the motion
	Shadrack Barnes	made by Genl Howard on a

friday of the present term of this Court, to wit: on Friday the 15th instant, to dismiss this case be and the same is hereby held under advisement.

	The United States Appls	The argument of this cause
66	vs.	was continued by Mr. Ad
	Joseph Archer's Exrs	Attorney General Johnson for

the Appellants, by Mr. Meeks for the appellees and concluded by the Attorney General for the appellants.

	The United States Appls	The argument of this cause
67	vs.	was continued by Mr. Attorney
	Joseph Archer's Exrs	General Johnson for the ap

pellants, by Mr. Meeks for the Appellees, and concluded by the Attorney General for the appellants.

Proclamation being made the Court is adjourned until Monday Morning at eleven Oclock.

Monday February 25th 1850.

Pursuant to adjournment the Court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James McKinley	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire. Marshal.

William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Johnson. It is ordered that William L. Sheets Esquire of Baltimore Frederick J. Tallmadge of John H. Glover Esquire. of New York. A. Garrah Esquire. of Pennsylvania. and Edwin M. Stanton Esquire. of Ohio. be admitted to practice as Attorneys and Counsellors of this Court. and they were severally sworn accordingly.

Monday February 3d 1850 continued

The State of Pennsylvania. } The argument of this
vs. } Comp[t] was commenced by M[r] Ca-
The Wheeling and Belmont } nagh (Attorney General
Bridge Company &c. } Pennsylvania) for the C-
} plainant, continued by M[r]
Stanton for the Complainant and by M[r] Stewart for the
defendant.

Proclamation being made the Court is adjourned
until tomorrow morning at eleven Oclock.

Tuesday February 26th 1850.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney. Chief Justice

John McLean
James M. Wayne
John Catron — Associate Justices
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire, Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in that behalf by Mr. Attorney General Johnson. It is ordered that David Fully Esquire, of Virginia, be admitted to practice as an Attorney, and Counsellor of this Court and he was sworn accordingly.

64. George D. Prentice & George W. Weissinger, copartners, doing business under the style & firm of Prentice & Weissinger
vs.
William W. Shriver, admr. of Platoff Jane, deceased.

In error to the Western Court of the United States for the Western District of Virginia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Virginia, and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this court, that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs.

Dissenting. Mr Jus McLean
Mr Jus: Woodbury
Mr Jus: Wayne.

209 Jacob P. Wilson. Compt
vs.
Daniel Barnum

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to

be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and on the point or question on which the Judges of the said Circuit Court were opposed in opinion and which was certified to this Court for its opinion, agreeably to the act of Congress in such case made and provided, and was argued by Counsel. And it appearing to this Court upon an inspection of the said transcript that no point in the case within the meaning of the act of Congress has been certified to this Court, the point or question being one of fact. It is thereupon now here ordered and decreed by this Court that this cause be and the same is hereby dismissed, and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law.

per Mr Ch. Jus. Taney.

Charles A Williamson and Catharine his wife. plffs.	On a certificate of division in opinion between the Judges of the Circuit Court of the United States
27 vs.	for the Southern District
Joseph Berry	of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the Southern District of New York, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion, agreeably to the Act of Congress in such case made and provided, and was argued by Counsel, On consideration whereof It is the opinion of this Court.

1st. That the acts of the Legislature stated in the case divested the estate of the trustees under the devise in the will of Mary Clarke, but did not vest the whole estate in fee or any part of it in Thomas B. Clarke.

2nd. That the authority given by the said acts to the trustee to sell, was a special power to be strictly pursued, and that the trustee was not vested with an absolute power of alienation but only with a power to sell with the assent of the Chancellor, subject in all that the trustee might do by way of sale or otherwise, concerning the premises to the examination and account in equity.

3rd. That so much of the order set forth in the case as having been made by the Chancellor, which permitted Thomas B. Clarke to convey any part or parts of the Southern moiety of the estate, or any other part of the estate in payment

and satisfaction of any debt or debts due and owing from Thomas B. Clarke upon a valuation to be agreed between himself and his respective creditors, provided nevertheless that every sale and mortgage and conveyance in satisfaction that may be made by the said Thomas B. Clarke in virtue hereof shall be approved by one of the masters of this Court and that a certificate of such approval be endorsed upon every deed or mortage that may be made in the premises; or which authorized Thomas B. Clarke to receive and take the moneys arising from the premises and apply the same to the payment of his debts and to invest the surplus in such manner as he may deem proper to yield an income for the maintenance and support of his family. were not authorized or in conformity to the acts of the Legislature as they are set forth in this record. That these orders however are to be regarded as the acts of a court of chancery, executing a special jurisdiction, under private acts, which did not give to the Chancellor jurisdiction to pass the orders as they have been stated in this answer to the third point.

4th That the Chancellor had authority under the acts, to assent to sales and conveyances of the estate by the trustee. but not to any sale or conveyance, or any other consideration than for cash, paid on said conveyance.

5th. That the deed executed by Thomas W. Clarke to George De Grass for the premises in question is not valid, it having been made for a consideration other than for cash, paid on the purchase.

6th. That if the deed to De Grass had been otherwise valid - which we have said it was not - that it would not be valid, without having a certificate endorsed thereon that it was approved by Mr. Hamilton, the master in Chancery, to whom the execution of the order was confided by the Chancellor.

7th. That the mortgage on part of the premises by Clarke to Simmons, did not exhaust the power, as trustee, that he might not after a release from the mortgage, sell or mortgage the property again, but it was not in the trustee's power to sell to De Grass for a debt.

And lastly. That the subsequent conveyance of the premises as set forth in the case made by George De Grass, could not give to his grantee, or the grantee's assigns, a valid title against the plaintiffs in ejectment

Wherefore it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court

Tuesday February 26th 1850 continued

pr Mr Jus: Wayne.
Dissenting. Mr Ch Jus: Taney.
Mr Jus: Nelson
Mr Jus: Catron.

Charles A Williamson and Catharine H. his wife. pffs. in Er. vs The Irish Presbyterian Congregation of the City of New York.	On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on the points and questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion, agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof, It is the opinion of this Court.

1st. That the acts of the Legislature stated in the case divested the estate of the trustees under the devise in the will of Mary Rhinelander, but did not vest the whole estate in fee, or any part of it, in Thomas B Clarke.

2nd. That the authority given by the said acts to the trustee to sell was a special power, to be strictly

pursued. and that the trustee was not vested with an absolute power of alienation, but only with a power to sell with the assent of the chancellor, subject in all that the trustee might do, by way of sale or otherwise concerning the premises to re examination and account in equity.

3rd. That so much of the orders set forth in the case as having been made by the chancellor, which permitted Thomas B. Clarke to convey any part or parts of the Southern society of the estate, or any other part of the estate, in payment and satisfaction of any debt or debts, due and owing from Thomas B. Clarke upon a valuation to be agreed between himself and his respective creditors, provided nevertheless that every sale and mortgage and conveyance in satisfaction that may be made by the said Thomas B. Clarke in virtue hereof, shall be approved by one of the masters of this Court; and that a certificate of such approval be indorsed upon every deed or mortgage that may be made in the premises; or which authorized Thomas B. Clarke to receive and take the moneys arising from the premises and apply the same to the payment of his debts and to invest the surplus in such manner as he may deem proper to yield an income for the maintenance and support

of his family, were not authorized or in conformity to the acts of the Legislature as they are set forth in the record. That these orders however are to be regarded as the acts of a Court of Chancery, exercising a special jurisdiction, under private acts, which did not give to the Chancellor jurisdiction to pass the orders as they have been stated in this answer to the third point.

4th. That the Chancellor has authority under the acts to assent to sales and conveyances of the estate by the trustee but not to any sale or conveyance on any other consideration than for cash paid on said conveyance.

5th. That the deed executed by Thomas B. Clarke to George De Grass for the premises in question, is not valid, it having been made for a consideration other than for cash paid on the purchase.

6th. That if the deed to De Grass had been otherwise valid, which we have said it was not. That it would not be valid, without having a certificate endorsed thereon that it was approved by Mr Hamilton the master in Chancery to whom the execution of the order was confided by the Chancellor.

7th. That the mortgage in fee of the premises by Clarke to Simmons did not exhaust the power, as trustee, that he might not after a release from the mortgage sell & mortgage the property again but it was not

on the trustees power to sell to Mr Grass for a debt.

And lastly. That the defendants have paid to the grantees of George Mc Grass a valuable consideration for the premises in dispute do not thereby acquire a valid title against the plaintiffs

Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

Per Mr Jus. Wayne.

Dissenting. Mr Ch. Jus. Taney
Mr Jus. Nelson
Mr Jus. Catron.

Charles A. Williamson and Catharine H., his wife, Rupert J. Cochran & Isabella M. his wife, & Bayard Clark - Appts.
vs
George Ball

47.

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the points and questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for

its opinion, equitably to the act of Congress in such case made and provided, and was argued by Counsel. On consideration whereof, it is the opinion of this Court.

1st. That the authority given by the said acts to the trustee to sell, was a special power, to be strictly pursued, and that the trustee was not vested with an absolute power of alienation, but only with a power to sell with the assent of the Chancellor subject in all that the trustee might do, by way of sale or otherwise, concerning the premises, to re-examination and account in equity.

2nd. That so much of the orders set forth in the case as having been made by the Chancellor, which permitted Thomas B. Clarke to convey any part or parts of the southern moiety of the estate, or any other part of the estate in payment and satisfaction of any debt or debts due and owing from Thomas B. Clarke upon a valuation to be agreed between himself and his respective creditors provided nevertheless that every sale and mortgage and conveyance in satisfaction that may be made by the said Thomas B Clarke in virtue hereof, shall be approved by one of the masters of this Court, and that a certificate of such approval be endorsed upon every deed or mortgage that may be made on the premises, or which authorized Thomas B. Clarke to receive and take the moneys arising from the premises and apply the same to the payment of his debts

and to invest the surplus in such manner as he may deem proper to yield an income for the maintenance and support of his family were not authorized, or in conformity to the acts of the Legislature as they are set forth in this record. That these orders however are to be regarded as the acts of a court of Chancery, executing a special jurisdiction under former acts, which did not give to the Chancellor jurisdiction to pass the orders as they have been stated in this answer to the second point.

3rd. That the Chancellor had authority, under the acts passed for the relief of Thomas B Clarke, to assent to a conveyance of the premises in dispute by the trustee, but that it was not within the jurisdiction, given to the Chancellor, by the acts of the State of New York mentioned in this case, to order that the trustee might make a conveyance of any part of the premises devised, as is mentioned in the case, for a precedent debt due by the trustee to his grantee.

4th. That the deed executed by Clarke to Chrystie was not made in the due execution of the power and authority to sell and convey though approved by the Master in conformity with the Chancellors order, it not having been within the Chancellor's

jurisdiction to order that the trustee might make a conveyance of the premises to a creditor in payment of the debt.

And lastly. That though the defendant may have paid to such grantee a valuable consideration, he can not be said to have acquired any title against the plaintiff, inasmuch as Clarke had no lawful authority to convey to his grantee, that grantee had no right to convey to another.

Wherefore it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

Per Mr Jus: Wayne.

Dissenting. Mr Ch Jus. Taney
Mr Jus. Nelson
Mr Jus Catron.

The State of Pennsylvania vs. Compt The Wheeling & Belmont Bridge Company &al.	The argument of this cause was continued by Mr Stewart for the defendants

Proclamation being made the Court is adjourned until to-morrow morning at Eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire Marshal

William Thomas Carroll Clerk.

Proclamation being made the Court was opened

On motion just made to the Court in this behalf by Mr Seward. It is ordered that John J. Mackenzie Esquire of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

The United States plff in Er vs 58. Joseph Reynes	In error to the District Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana, and was argued by Counsel. On consideration whereof it is the opinion of this Court that the title of the petitioner is null and void. Whereupon it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the petition of the claimant in this cause.

pr Mr Jus. Daniel.

Alexandrine Meager widow &c. Claimant opponent and plaintiff in the matter of the succession of John Meager deceased - pffs in Er. vs 63. The Prima testamentary Executors of the last will and testament of John Meager dec'd & the Treasurer of the State of Louisiana.	In error to the Supreme Court of the State of Louisiana. This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana & was argued

by counsel. On consideration whereof, It is now hereordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Pr. Mr. Chf. Jus. Taney.

	The State of Pennsylvania.	The argument of the
2.	vs Comp[t]	cause was continued by
	The Wheeling and Belmont	Mr. Johnson, Attorney Gen-
	Bridge Company.	eral U. S. for the defendants.

Proclamation being made the Court is adjourned until tomorrow morning, at Eleven Oclock.

Thursday, February 28th 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice.
	John McLean	Associate Justices
	James M. Wayne	
	John Catron	
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury &	
	Robert C. Grier.	

Richard Wallach Esquire Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by the Attorney General Johnson, It is ordered that Ingill Gibbs Esquire of New York and Tod Robinson Esquire of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were severally sworn accordingly;

On motion first made to the Court in this

behalf by Mr Scott. It is ordered that Thomas J. Durant Esqur. of Louisiana, be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

William Neves & James C. Neves. Appts 81 vs. William H. Scott & Thomas N. Beall, admr of William H. Scott, deceased, & Richard Rowell.	On appeal from the Circuit Court of the United States for the District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Georgia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

Per Mr Jus. Nelson.

The State of Pennsylvania	The argument of this
} vs. Compt	cause was concluded by
The Wheeling and Belmont	Mr Walker for the Com-
Bridge Company et al	plainant

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice

John McLean
James M. Wayne
John Catron Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire Marshal.

William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Key It is ordered that S. C. Pomeroy and John L. N. Stratton Esquires of New Jersey and Charles B. Sedgwick Esquire of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were severally sworn accordingly.

Friday March 1st 1850. continued

William H. Swan Appt vs. George C Gibson and John P. Gibson	On appeal from the Circuit Court of the United States for the District of Columbia holden in and for the County of Alexandria.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Alexandria, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to ~~the said Circuit Court~~ with instructions to dismiss the bill of complaint in conformity to the opinion of this Court.

Per Mr Justice Woodbury.

	William Wheeler Appt.	On appeal from the
65.	vs	Circuit Court of the
	Hugh Smith & Phineas Janney	United States for the
	Exrs of Charles Bennett, decd, & Janey	District of Columbia
	trustees under his will: & Molly C.	holden in and for the
	Taylor, Exx & Henry Rangefield &	County of Alexandria.
	Phineas Janney, Exrs of Robert I.	
	Taylor, decd, who was an Exr & trustee	
	under the same will. Hugh C.	
	Smith, Exr of the same Charles Ben	
	nett, and the Common Council	
	of Alexandria.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Alexandria, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed, with costs and that this cause be and the same is hereby remanded ~~to the said Circuit Court~~ for further proceedings to be had thereon in conformity to the opinion of this Court.

[illegible]

Friday, March 1st 1811 continued

The Ship Martha.	Appt	On appeal from the Circuit
256.	vs	Court of the United States
Lambert and Brother &c.		for the District of South
Libellants		Carolina.

Mr Hare of Counsel for the appellees having, filed and read in open Court the following certificate, to wit:

"In the Circuit Court of the United States South Circuit. South Carolina District:

In the Admiralty.

Lambert and Brother Owners	Libel.
vs	
The Ship Martha.	Damage & Cargo.

I Henry Y. Gray, Clerk Clerk of the Circuit Court of the United States for the South Carolina District, do hereby certify that a decree was rendered for the Libellants in the above stated case by the said Court on the eighth day of May in the year of our Lord one thousand eight hundred and forty nine affirming the decree of the Circuit Court, and that an appeal from the first mentioned decree was duly sued out to the Supreme Court of the United States, but that the Record has not been completed in consequence of the failure of the appellants to furnish the appeal bond.

In Testimony whereof

(L. Seal.) I have hereunto signed my name and affixed the seal of the said Circuit Court.

[illegible]

and having stated that the said appellants had altogether failed to file the record of said case in this Court, or in any way to prosecute said appeal, have now moved the Court, in pursuance of the 4th rule of this Court, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered and decreed by this Court that this appeal from the Circuit Court of the United States for the District of South Carolina, be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice, the said writ of error notwithstanding.

Pr. Mr. Ch. Jus. Taney.

The Ship Martha —	Appl	On appeal from the Cir
231.	as.	cuit Court of the United
The South Carolina Rail		States for the District of
Road Company.		South Carolina.

Mr Butler of counsel for the Appellee having filed and read in open court the following certificate to wit.

"In the Circuit Court of the United States Forth Circuit.

South Carolina District.

In the Admiralty.

The South Carolina Rail Road Company.	Libel
vs.	Damage to Cargo.
The Ship Martha.	

I Henry M. Gray, Clerk of the United States Circuit Court for the said District, do hereby certify that a decree was rendered for the Libellants, in the above stated case by the said Court; on the Eighth day of May in the year of our Lord one thousand eight hundred and forty nine, affirming, the decree of the District Court, and that an appeal from the first mentioned decree was duly sued out, but that the record has not been completed in consequence of the failure of the appellants to furnish the appeal bond.

In Testimony whereof, I have hereunto signed my name and affixed the seal of said Circuit Court this twenty eighth day of February one thousand eight hundred and forty nine.

(Seal)

H. M. Gray.

Clk. Cir. Ct."

was having stated that the said appellant had altogether

failed to file the record of said case in this Court, or in any way to prosecute said appeal, now here moved the Court, in pursuance of the 43d rule of this Court, to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered and decreed by this Court, that this appeal from the Circuit Court of the United States for the District of South Carolina, be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice, the said appeal notwithstanding.

Per Mr Chief Justice Taney.

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249. John H. Lewis, Appt. vs. Sarah Darling,

Mr Johnson, Attorney General, of Counsel for the Appellant, now here moved the Court to reverse the order of the 4th of January last, docketing, and dismissing this appeal with costs; and for leave to file the record and have the case docketed, which was resisted by Mr Butler on behalf of the appellee. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises doth time to consider.

249.	John H. Lewis . Appt. vs. Sarah Darling,	On motion of Mr Johnson. Attorney General, of counsel for the Appellant. It is now here ordered by the Court that the Clerk do not issue any mandate of writ of procedendo in this case until after the adjourned term.
280.	The Ship Martha . Appt vs. Lambert and Brother &al.	On motion of Mr Evans of counsel for the appellant, It is now here ordered by the Court that the Clerk do not issue any mandate or writ of procedendo in this case until after the adjourned term.
281.	The Ship Martha . Appt vs. The South Carolina Rail Road Company.	On motion of Mr Evans of counsel for the appellants, It is now here ordered by the Court that the Clerk do not issue any mandate or writ of procedendo in this case until after the adjourned term.

Proclamation being made the Court is adjourned until the first Monday of April next at twelve O'Clock meridian.

Pursuant to adjournment the Court met this day at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne Associate
John Catron Justices
Samuel Nelson &
Levi Woodbury.

Richard Wallach Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

Upon the opening of the Court the Chief Justice said, that the Court had learned with much sorrow that Mr Calhoun died yesterday evening and from his long public services, and the high stations he had filled under the Government, the Court deemed it proper as a mark of respect for his memory to adjourn to day without the transaction of any business.

Proclamation being made, the Court is adjourned until to morrow morning at Eleven O'Clock.

Tuesday April 2nd 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney.	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury dy	
	Robert C. Grier	

Richard Wallach Esquire Marshal

William Thomas Carroll. Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Clove. It is ordered that James B. Neal Esquire, of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly;

The Court having attended the funeral of the late Hon: John C. Calhoun. the Chief.

Justice gave notice to the Bar that the Court would commence the call of the docket tomorrow under the 36th rule.

Proclamation being made. the Court is adjourned until tomorrow morning at Eleven Oclock.

Wednesday April 3rd 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire, Marshal.

William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

Micaela Leonarde Almonester, the wife separated from bed and board of Joseph Xavier Pelizant de Pontalba.	In error to the Supreme Court of the State of Louisiana for the Eastern
&c. vs.	District.
Joseph Kinsler	

The cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana for the Eastern

District. and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court. that this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr Jus: Catron.

	Theophilus Beatly.	In error to the Supreme
83.	vs. Jeffries	Court of the State of Flor
	Thomas Ross.	ida.

Mr Westcott of counsel for the plaintiffs in error. having filed the appearance of Ellen A Beatly administratrix of Theophilus Beatly deceased. moved the Court that the said Ellen A. Beatly be made plaintiff in error in this cause with liberty to prosecute this writ of error. On consideration whereof. It is now here ordered by this Court. that the said Ellen A Beatly. administratrix as aforesaid, be and she is hereby made plaintiff in error in this cause with liberty to prosecute this writ of error.

	Ellen A Beatly. admx.	In error to the Supreme
	of Theophilus Beatly. decd	Court of the State of Flor
83.	vs. Jeffries	ida.
	Thomas Ross.	

Wednesday April 3d 1850 continued

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Florida and on the motion of Mr Westcott of counsel for the plaintiff in error stating that the matters in controversy had been agreed and settled between the parties. It is now hereupon ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs.

Per Mr Ch: Jus: Taney.

James G. Wilson. Appt
vs
68. Andrew D. Simpson

The argument of this cause was commenced by Governor Seward for the appellant and continued by Messrs Gilpin and Westcott for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B Taney Chief Justice
Jos. McLean
James Mc. Wayne.
John Catron Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier.

Richard Wallach Esquire. Marshal
William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Johnson. It is ordered that William Allen Butler Esquire of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr Webster. It is ordered that William Whiting Esquire of Massachusetts be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Seward It is ordered that John H. Marlendale Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Gilpin. It is ordered that J. H. Markland, Esquire of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

68.	James L. Wilson. Appt vs. Andrew P. Simpson Exr.	The argument of this cause was continued by Mr Westcott for the Appellees and concluded by Mr Webster for the Appellant.
69	Rene La Roche Exr. Appt in Er vs. Rene of Richard Jones Trustee	The argument of this cause was commenced by Mr Gilpin for the plaintiffs in Error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock

Friday April 5th 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier.	

Richard Wallach Esquire. Marshal,

William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this Court by Mr Attorney General Johnson It is ordered that John C. Sherwood and Lewis Pillans Esquires of New York, be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly;

Henry Wheaton and Robert Donaldson Appts 44 v. Richard Peters & John Sergt	On appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania. and it appearing to the Court here, on the motion of Mr Markland, of counsel for the Appellee, that the counsel of the respective parties have filed a stipulation in writing, that this appeal may be dismissed. It is therefore now here ordered and decreed by this Court that this cause be and the same is hereby dismissed at the costs of the Appellants.

Per Mr Chr. Jus. Marshall.

Rene La Roche Plt in Err 69 vs Defendt Lessee of Richard Jones & wife	The argument of this cause was continued by Mr Wirt for the plaintiffs in error by Messrs Moorehead and Laurence for the defendants in error, and concluded by Mr Walker for the plaintiffs in Error.

Proclamation being made the Court is adjourned until Monday morning at eleven Oclock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	Associate
	Peter V Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier.	

Richard Wallach Esquire Marshal

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Sargt. It is ordered that Moses Y. Hoit Esquire, of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

The Chesapeake & Delaware Canal Company. Plffs vs. John A. Perrine.	The argument of this cause was commenced by Mr. Gilpin for the Defendants, and continued by Mr. Whiteley for the Complainants and by Mr Bayard for the Defendants.

70

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice

John A. Washington
James M. Mayo
John Catron Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire, Marshal

William Thomas Carroll, Clerk.

Proclamation being made, the Court is opened

On motion leave was made to the Court in this behalf by Mr Meason, It is ordered that Thomas H. Bayly, Esquire, of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was accordingly

The Chesapeake & Delaware Canal Company - Plffs in error vs. John A. Perrine	The argument of this cause was concluded by Mr Bayard for the Defendants.
Robert W. Withers. Plff in error vs. Richard Mays adms.	The argument of this cause was commenced by Mr John M. Mason for the plaintiff in error and continued by Mr Bayly for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice

Joseph McLean
John Catron
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier
} Associate Justices

Richard Wallach Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Merchant. It is ordered that Archibald N. Hamilton Esquire of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly,

66	The United States - Appts vs Eli K Price Exr of Joseph Archer, deceased.	On appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and decreed by this Court, that the decree of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr Jus Story.

Dissenting - Mr Jus Woodbury,
Mr Jus McLean.

67	The United States - Appts vs Eli K Price Exr of Joseph Archer deceased	On appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof,

it is now here ordered and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed.

Pr. Mr. Jus. Grier.

Dissenting. Mr. Jus. Woodbury
Mr. Jus. McLean.

	Robert W. Withers. Appellee.	The argument of this
71.	vs	cause was concluded by
	Richard Mays admr.	Mr. Mason for the plaintiffs in error.

	Hiram Benner &c. assignees &c. Appts	Mr. Westcott, of counsel for the Appellants, having
72.	vs.	filed a copy of letters testamentary to Mary Ann
	Joseph F. Porter's Executrix	Simms Porter, executrix of and upon all and singular the lands tenements goods and chattels, rights and credits of John F. Porter deceased, moved the Court that the appearance of the said Executrix be entered and that she be made the appellee in this case, and to which Mr. Jones of counsel for the appellee assented. Whereupon it is now here ordered by this Court that the appearance of Mary Ann Simms Porter, Executrix of John F. Porter

deceased, be entered, and that she be and hereby is made the Appellee in this case.

Hiram Benner &al assignees &c. pp. vs. Appts Joseph M Porter's Executrix	The argument of this cause was commenced by Mr West. coll for the appellants, and continued by Mr Jones for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning, at Eleven O'clock

Pursuant to adjournment the Court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	Associate Justices
	James M. Wayne	
	John Catron	
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire Marshal

William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Genl Jones, It is ordered that William J. Stone Esquire, of the District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly;

Thomas C. Powell's Lessee plff		
31 vs		
Lucius V. Otis admr. Margaret Dickenson, widow, & Edward C. Julian, Margaret C. John B.R. Rodolphus Martha Jane, & James A. Dickenson minor children of Rodolphus Dickinson, deceased, by L.C. Rawson, their Guardian & next friend. defts		On a certificate of division in opinion between the judges of the Circuit Court of the United States for the District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Ohio and on the points and questions on which the judges of the said Circuit Court were opposed in opinion. and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by Counsel. On consideration whereof, it is the opinion of this Court, that the proceedings and decree of the Court of common pleas of Sandusky County as set forth in the record, are erroneous & ought to be reversed and annulled. so far as relates to lot number seven, and consequently that the levy and sale of the Sheriff were without authority and void. Whereupon it is now here ordered and adjudged by this Court, that it be so certified to the said Circuit Court.

Cpr Mr Jus: McLean.

Hiram Benner &c. Assignees &c. Appts vs John G. Peters. Executrix	The argument of this cause was continued by Mr Jones for the appellee and concluded by Mr Gilpin for the Appellants.
John Mason's Exr &c. &c. vs Pltffs in Er Joseph N. Pearson	The argument of this cause was commenced by Mr Allen for the plaintiffs in Error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock.

Friday, April 12th. 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier.	

Richard Wallach, Esquire, Marshal.

William Thomas Carroll, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Johnson, It is ordered that Stephen C. Williams, Esquire of New York, be admitted to practice as an Attorney and Counsellor of this Court. and he was sworn accordingly.

196. George Mc. Gill. Trustee &c vs. Robert Oliver's Exor's & al. Trustees &c

Mr Johnson, Attorney General, of counsel for the defendants in error, moved the Court to dismiss this case for the want of jurisdiction.

Whereupon it is now here ordered by the Court that said motion be and the same is hereby set down for argument on Friday the 26th. instant. And it is further ordered by the Court that the counsel furnish a brief or abstract under the 33d. rule of Court.

197. Nathaniel Williams. Trustee &c. vs. Robert Oliver's Exor's & al. Trustees &c.

Mr Johnson, Attorney General, of counsel for the defendants in error, moved the Court to dismiss this case for the want of jurisdiction.

Whereupon it is now here ordered by the Court that said motion be and the same is hereby set down for argument on Friday the 26th instant. And it is further ordered by the Court that the counsel furnish a brief or abstract under the 33d rule of Court.

198.	Nathaniel Williams Trustee &c. vs Robert Oliver's Exors &al. Trustees &c.	Jeffin Br.	Mr Johnson Attorney Gen-eral, of Counsel for the defen-dants in error, moved the Court to dismiss this case for the want of jurisdiction.

Whereupon it is now here ordered by the Court that said motion be and the same is hereby set down for argument on Friday, the 26th instant. And it is further ordered by the Court that the Counsel furnish a brief, or abstract, under the 53d rule of Court.

71	John Mason Exor &al vs Joseph N. Pearson	Jeffin Er	The argument of this cause was continued by Mr Bradley for the defendant in error and concluded by Mr Mason for the plaintiff in Error.

71	Trustees of the Commercial Bank of Cincinnati vs Henry Baldwin	Jeffin Er	The argument of this cause was commenced by Mr Walk-er for the plaintiff in error. continued by Mr Lincoln for the defendant in error & concluded by Mr Walker for the plaintiffs in error.

Proclamation being made the Court is adjourned until Monday morning at Eleven O'clock.

Monday April 15th 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire. Marshal.

William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Webster It is ordered that Reverdy Johnson Jr Esquire of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

Ann Baabsten's adm^x
vs. } pltff in err
Jobias Gibson

The argument of this cause was commenced by Mr Johnson, Attorney General, for the pltff in error and continued by Messrs Pilsbury and Strachey for the defendant in error.

Proclamation being made the Court recessed until tomorrow morning at eleven O'clock

Tuesday April 16 1850.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire, Marshal.

William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

Ann Babeston's admr.	The argument of this cause
vs. Jefferson Ex	was continued by Mr Walker
Nelson Gibson	for the defendant in error, and

concluded by Mr Johnson, Attorney General, for the plaintiff in error.

Order of Court.

Ordered that when a division of opinion is certified

to the Court by a Circuit Court the parties shall be placed on the docket of this Court as plaintiff and as defendant respectively, in the manner in which it shall appear from the statement of the case as they stand in the Circuit Court.

193.	Fleming, & Marshall vs. Jeffs James Page, collector &c &c	The argument of this cause was commenced by Mr. McLance for the plaintiffs.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'clock.

V

OLUME

И

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honble	Roger B Taney	Chief Justice
	John McLean	
	James Mc. Kinley	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C Grier	

Richard Wallach Esqr Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

John Bolander	Appt.	On appeal from the Circuit Court of the United States for the District of Columbia, holden in and for the County of Washington.
vs.		
Charles City		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia, holden in

and for the County of Washington and was argued by Counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs for the Appellant in this Court, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to that Court to proceed therein in conformity to the opinion of this Court and as to law and justice shall appertain.

Ofor Mr Ch. Jus. Taney.

Fleming, & Marshall. Appts. vs James Page. Collector &c.	The argument of this cause was continued by Mr McCall for the plaintiffs and by Mr Attorney General Johnson for the defendant.

193

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'clock.

Thursday April 18th 1850.

Pursuant to adjournment the Court met this mo
at the Capitol.

Present

The Honorable Roger B. Taney. Chief J

John McLean
James M. Wayne
John Catron
Peter V. Daniel Justic
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court m
by Mr Walter S Goodall that Nathaniel
lard and Gilbert L Nelson Esquires of New Yor
admitted to practice as Attorneys and Counsellors
Court, and they were severally sworn accordingly,

Thursday. April 18 1850. continued

193	Fleming, & Marshall. plffs vs James Page. Collector &c. &c.	The argument of this cause was concluded by Mr. Webster for the plaintiffs.
76	Jacob Beckwith. plff in Er vs Thomas I. Halderman. Def.	The argument of this cause was commenced by Mr. J. Mather for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning, at Eleven O'Clock.

Friday, April 19th 1830.

Pursuant to adjournment the Court met this mo
at the Capitol.

Present.

The Honorable Peyton S. Wroe Chief Ju

John McLean
James Mr Wayne
John Catron Associa
Mr Mclean Daniel Justices
Samuel Nelson
Levi Woodbury Esq
Robert C. Grier

Richard Wallach Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion just made to the Court a
ordered by the Judiciary, Act of Congress, P
quire, of Maine, be admitted to practice as an att
and counsellor of this Court, and he was sworn
accordingly.

141.	The United States. vs. Peter Marigold	Pffs.

On the motion of Mr Attorney General Johnson, of counsel for the plaintiffs It is now here ordered by the Court that this cause be and the same is hereby set down for argument on next Monday week the 24th instant

101.	Henry Webster vs. Peter Cooper	Pffs.

Mr Otis in behalf of defendant moved the Court to continue this cause to the next term of this Court. To which Mr Baadbury in behalf of Mr Davies. of counsel for the plaintiff. objected for the present Whereupon the Court not being, now here sufficiently advised of and concerning, what order to render in the premises took time to consider.

76	Jacob Beckwith vs. Thomas C. Halderman Sal.	Pffs in Er

The argument of this cause was continued by Mr Lincoln for the defendants in Error & concluded by Mr Scott for the plaintiff in error

Proclamation being made, the Court is adjourned until Monday morning, at 8 eleven O'Clock.

Monday April 22d 1850.

Court met pursuant to adjournment. Present and Presiding

at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice

John McLean

James M. Wayne

John Catron Associate

Peter V. Daniel Justices

Samuel Nelson

Levi Woodbury Jr

Robert C. Grier

Richard Wallach Esquire. Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Samuel Davis - Plaintiff in Error

vs.

The Police Jury of the Parish of Concordia

The argument of the cause was commenced by Mr Love for the plaintiff in Error, and continued by Mr Jones for the defendant in error and by Mr Walker for the plaintiff in Error

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock.

Tuesday April 23d 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice

John McLean
James M. Wayne
John Catron Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier.

Richard Wallach Esqre. Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

Order of Court

Whereas it is represented to this Court that it is necessary and expedient that a special session of the Circuit Court of the United States for the District of Indiana should be convened at Jeffersonville in the second Monday of June next for the trial of certain criminal causes in pursuance of the act of Congress of 3rd March 1837, entitled "An act in addition to the act entitled, an act to establish

Tuesday April 21st 1851 continued

the federal Courts of the United States. It is now here ordered and directed by this Court. That a special session of the Circuit Court of the United States for the Missouri District be holden at the City of Jefferson within and for said District on the 2nd Monday of September next for the trial of certain criminal causes, the said City of Jefferson being nearer the places where said offences are said to have been committed than the place appointed by law for the ordinary session of said Court. And it is further ordered that the Clerk of this Court send copies of this order duly authenticated to the Judges of the said Circuit Court, and also to the Clerk of the said Court.

Per Mr. Ch: Jus: Taney.

74

Jacob Strader, Robert Buchanan, John McCormick, John R. Coram, Joseph Small, James Johnson and George W. Miller, Trustees of the [illegible] Bank of Cincinnati

vs

Henry Baldwin

Jefferson &c.

In error to the Supreme Court of the State of Ohio within and for the County of Hamilton.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio within and for the County of Hamilton, and was argued by counsel. On Consideration whereof,

it is now here ordered and adjuged by this Court, that this
cause be and the same is hereby dismissed for the want of
jurisdiction.

Chief Justice Taney.

Anna M. Mason, widow & John
Mason, James M. Mason, Tilbeck
Mason, Murray Mason, Raymadin
Mason, Barlow Mason, Samuel
Cooper and Sarah M. his wife,
Sidney S. Lee and wife,
Cornelius L. Jamison & Catharine
his wife, heirs and devisees of John
Mason, deceased - Appellees.

vs.

Joseph N. Fenton

Appeal from the
Court of the United States
for the District of Columbia
holden in and for the
County of Washington.

This cause came on to be heard
on the transcript of the record from the Circuit Court of
the United States for the District of Columbia holden in and
for the County of Washington, and was argued by counsel.
On consideration whereof, it is now here ordered, and ad-
judged by this Court that the judgment of the said Circ-
cuit Court in this cause be and the same is hereby affir-
med with costs, and that this cause be and the same is hereb

remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr Jus: Story;

Rene La Roche and Mary his wife. Inez R. Ellis, Stephen F. Ellis, and Thomas La Roche Ellis, minor heirs of Thomas L. Ellis, deceased, by their Guardian ad litem Charles E. Dahlgren. pltffs in Er vs John Doe, as lessee of Richard Jones, and Mary his wife. defts

In error to the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a judgment in this cause in favor of the defendants in that Court and plaintiffs in error here.

Per Mr Jus: Baldwin.

77	Samuel Davis - plff in Err. vs The Police Jury of the Parish of Concordia	The argument of this cause was commenced by Mr Felps for the plaintiff in error.
78	Benjamin L Humphreys vs Leggett. Smith & Lawrence Appls	The argument of this cause was commenced by Mr Felps for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock.

Wednesday. April 24. 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire. Marshal

William Thomas Carroll. Clerk.

Proclamation being made the Court is opened

James M. Brabston adm[r] of Ann Brabston deceased. Plaintiffs in Error

vs.

Tobias Gibson

In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof it is

now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

Per Mr Jus. McLean.

Rule No 57

Ordered that twelve printed copies of the abstract points and authorities required by the 35th rule, be filed with the Clerk, three days before the case is called for argument. nine of these copies for the Court, one for the Reporter, one for the opposing counsel, and the remaining one to be retained by the Clerk.

This order to take effect on the first day of May next.

Benjamin G. Humphreys. vs Appt.	The argument of this
79 Leggett, Smith & Sherman	cause was continued by
	Mr Jones for the appellant
	and concluded by Mr Phillips

for the appellant.

Wednesday April 25 1838 continued

Robinson Lytle Lat. Appt
vs
The State of Arkansas Lat.

Mr Sebastian of counsel for the defendants in error having stated that the death of Chester Ashley one of the defendants in error was suggested at the last term of this Court, now here moved the Court that Mary W. W. Ashley widow, and William E, Frances and Henry, children and heirs of said Chester Ashley deceased, be made co-defendants in this Court. To which Messrs Lawrence & Badger in behalf of the plaintiffs in error, assented. On consideration whereof, it is now hereordered by this Court that the appearance of the said Mary W. W Ashley, widow, and William E., Frances and Henry, children and heirs of Chester Ashley, deceased, be entered in this case and that they be and are hereby made co-defendants in error in this cause

Robinson Lytle Lat. Appt
vs
The State of Arkansas Lat.

The argument of this cause was commenced by Mr A. H. Lawrence for the Appellants

Proclamation being made the Court is adjourned until tomorrow morning, at Eleven O'Clock

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire, Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

William E. Woodruff,	On motion of Mr. Johnson
(in) plaintiff in	Attorney General, of Counsel
Error	for the plaintiff in error, and
Frederick M. Pasmale	with the assent of Mr. Sebastian

of Counsel for the defendant in error. It is now here ordered by the Court that this cause be and the same is hereby continued to the next term.

Thursday April 25. 1850. continued

Robinson Lytle & al: in Error vs The State of Arkansas Def: in Error	The argument of this cause was continued by Mr Sawrence for the plaintiffs in error, and by Mr Sebastian for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven Oclock.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
John McLean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier
Associate Justices

Richard Wallach Esquire Marshal.
William Thomas Carroll, Clerk.

Proclamation being made, the court is opened.

On motion first made to the court in this behalf by Mr Forge. It is ordered that J. B. Holman, Esquire, of Alabama, be admitted to practice as an Attorney and Counsellor of this court, and he was sworn accordingly;

On motion first made to the court in this behalf by the Attorney General Johnson. It is ordered

Friday, April 26th 1850. continued

that Cortlandt Parker, Esquire, of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly;

James L Wilson. Appt
vs
Andrew P. Simpson & Simpson Forsyth & Ragland Mills.

On appeal from the Circuit Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr Jus Wayne.

Charles Ballance, Plff in Er
vs
Robert Forsyth, Lucien Dennain and Anthony, R. Davis

In error to the Circuit Court of the United States for the District of Illinois.

Mr Gamble for Mr Green, of counsel for the defendants in error, having, filed and read in open Court the following certificate, to wit:

Friday April 26 1850 continued

"Robert Forsyth. Lucien Dunain.	Action of ejectment in the
& Anthony R. Davis	Circuit Court of the United
vs.	States for the District of
Charles Ballance	Illinois.

I William Pope. Clerk of the Circuit
Court of the United States within and for the District of
Illinois do hereby certify that in the above entitled cause
judgment was rendered in the said Circuit Court for
the District of Illinois on the 21st day of June A.D. 1849
in favor of the said Robert Forsyth. Lucien Dunain
and Anthony R. Davis plaintiffs against the said Charles
Ballance, defendant, and that the said Charles Bal
lance has duly sued out and caused to be allowed
a writ of error in the said cause dated the twenty third
day of August in the year of our Lord one thousand
eight hundred and forty nine returnable to the Supreme
Court of the United States on the first Monday of Dec.
ber eighteen hundred and forty nine which writ of error
was duly filed in my office and the said Ballance
has also filed a bond in my office.

In Testimony whereof I have hereunto
affixed the seal of said Court and subscribed
my name this thirtieth day of March A.D. 1850
& of our Independence the 74th year.

Seal

"Wm. Pope. Clerk."

and having stated that the plaintiff in error had altogether failed to file the record of said Court in this case, or in any way to prosecute said writ of error, now here moved the Court, in pursuance of the 4th rule of this Court, to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error to the Circuit Court of the United States for the District of Illinois be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice, this said writ of error notwithstanding.

Ord. Mr. Ch. Jus. Taney.

Henry	Hebden	plff.	On motion of Mr Chs of
	vs.		counsel for the plaintiffs
101 Peter	Cooper		and with the assent of Mr

Bradbury, in behalf of Mr Davies, of counsel for the defendant, it is now here ordered by the Court, that this cause be and the same is hereby continued to the next term of this Court.

196.	Thomas Mc. Bell Trustee &c. vs. Robert Oliver's Exors & Trustees &c.	On motion of Mr Johnson Attorney General of Canada for the defendants in error and with the assent of Mr Blanche, of counsel for the

Plaintiff in error, it is now here ordered by the Court that the motion to dismiss this case be set down for argument next Friday the 3d proximo

197	Nathaniel Hellems Trustee &c. vs. Robert Oliver Exors & Trustees &c.	On motion of the Hon Attorney General, of counsel for the defendants in error and with the assent of Mr Sebley, of counsel for the

Plaintiff in error, it is now here ordered by the Court that the motion to dismiss this case be set down for argument next Friday the 3d proximo.

198.	Nathaniel Hellems Trustee &c. vs. Robert Oliver Exors & Trustees &c.	On motion of Mr Johnson Attorney General, of counsel for the defendants in error and with the assent of Mr Sebley, of counsel

for the plaintiff in error, it is now here ordered by the Court, that the motion to dismiss this case

be set down for argument next Friday

	Robinson Little Jas.	The ar
50	vs.	Phillips in Er	was co
	The State of Arkansas Jac	for the

	The United States - Phillips	[illegible]
89	vs.	by [illegible]
	Ephraim Briggs.	Petition
		The [illegible]

	William Stickney Jac.	The
84	vs.	Phillips in Er	called
	The Farmers & Mechanics Bank	no cou
		[illegible]

same. It is thereupon now here ordered
this cause be and the same is hereb
foot of the docket under the 36th rule

	Joseph Nicolli (over) Appt	The
85	vs.	calle
	Jane M. Cousman Jac	coun
		to pro

It is thereupon now here ordered by the
cause be and the same is hereby fo

mused

3d. proximo.

gument of this cause
ncluded by Mr. Badger
plaintiffs in error.

use was argued
Attorney General
n of counsel for
ff.

use having been
for argument and
nsel appearing,
to proceed with the
by the Court that
ng postponed to the
of Court.

ause having been
d for argument and no
el appearing ready
ceed with the same,
Court, that this
stponed to the foot

of the docket under the 36th rule of Court.

On motion first made to th
this behalf by Mr. Attorney General Johnson, I
that Christopher Lesser, Esquire, of Pennsylva
mitted to practice as an Attorney and Counse
Court, and he was sworn accordingly.

Proclamation being made the Court is adj
Monday morning, at Eleven O'Clock

Monday April 29th 1850.

Pursuant to adjournment the Court met this morning, at the Capitol

Present

The Honorable Roger B. Taney Chief Justice

John McLean
James M Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Levi Woodbury dy
Robert C. Grier
} Associate Justices

Richard Wallach, Esquire, Marshal.

William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Seward. It is ordered that Clarence A. Seward, Esquire, of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly;

On motion first made to the Court in this behalf by Mr Attorney General Johnson. It is ordered

Hon Henry M Brackenridge Esquire of Pennsylvania, Jo
H. Saunders, Esquire of the District of Columbia, S.
Hopkins and James M. Payne, Esquires, of Alabama,
be admitted to practice as attorneys and counsellors
this Court, and they were severally sworn accordingl

141. The United States appts
vs.
Peter Marigold

The argument of this cau
was commenced by Mr. Att
Jeney General Johnson for
the plaintiffs, continued by
Mr Seward for the defendant and concluded by Mr
Attorney General for the plaintiffs.

55. Alexander S. Hoen & Emilie
Hoen his wife who is executrix
of Joseph Nalle deceased.
vs. appts
Jane F. Dousman and
Bernard M. Baisbois

On appeal from the
Supreme Court of the Terri
of Wisconsin

This cause came on to be
heard on the transcript of the record from the Supreme
Court of the Territory of Wisconsin, and Alexander S.
Hoen and Emilie Hoen his wife who is executrix of
Joseph Nalle deceased having been three times called
by called by the Marshal to come into Court and

Monday April 27. 1840. continued.

presents this appeal and failing so to do. It is thereupon, on the motion of the appellees by their counsel Henry Nay, Esquire, now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs.

Per Mr. Ch. Jus: Taney.

George L. Gaines Gal. - Appts vs Isaac W. Nicholson Gal.	This cause was argued by Messrs Laurence & Badger for the Appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven Oclock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice

John McLean
James M. Wayne
John Catron Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury &
Robert C. Grier

Richard Wallach Esquire Marshal.
William Thomas Carroll, Clerk.

No. Declaration being made the Court is opened.

Hiram Benner, Joseph B. Browne, of Salisbury, Haley, assignees of Eleazer P. Hunt. Appts	On appeal from the District Court of the United States for the District of Florida
vs.	
Mary Ann Simms Porter, Exx. of Joseph H. Porter, deceased.	

This cause came on to be heard on the transcript of the record from the

Tuesday, April 30th 1850. continued

District Court of the United States for the District of Florida, and was argued by counsel. On consideration whereof it is now here ordered and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed and annulled for the want of jurisdiction in that Court, and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the libel in this cause.

Per Mr. Jus: Nelson.

On motion first made to the Court in this behalf by Mr. Attorney General Johnson. It is ordered that John J. Lloyd, Esquire, of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

Jacob Beckwith. Plff in Er

vs

Thomas J. Valderman, George H. Parker Charles C. Kellogg, John Kennett, Sheldon J. Kellogg, & Franklin Parker.

In error to the Circuit Court of the United States for the District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Ohio, and

was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

By a divided Court.

The Town of East Hartford vs The Hartford Bridge Company.	On the motion of Mr Baldwin of Counsel for the defendants in error, and with the assent of Mr Tenney of Counsel for the plaintiff in error. It is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

129

Peas and Fish owners of Steamboat Sultana vs Municipality No 1 of the City of New Orleans.	This cause was submitted to the Court on the record and printed arguments by Messrs Elmer King and Eyraud of Counsel for the plaintiff in error, and by Messrs Durant and Soulé of Counsel for the defendant in error.

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Tuesday, April 30th 1850. continued.

88.	Robert R. Farrow. Jffs in Er vs Josiah Reab.	This cause was argued by Mr Baldwin for the defendant in error, and submitted on printed argument by Mr Lyons for the plaintiff in error.
90	Robert Mc. Harrison. U. S. Consul. Jffs. vs George W. Vose	This cause was argued by Mr Attorney General Johnson for the plaintiff.
91.	Isaac Sander. Jffs in Er vs Joshua B. Brant	On the motion of Mr Benton, of counsel for the defendant in error, & with the assent of Mr Bradley of counsel for the plaintiff in error. It is now here ordered by this Court that this cause be and the same is hereby continued to the next term of this Court.
92.	The United States & al. Compts vs William J. Hall & al.	This cause was argued by Mr Attorney General Johnson for the Complainants.

93.	William H Taylor. Appt vs The Merchants Fire Insurance Company	The argument of this cause was commenced by Mr. Attorney General Johnson for the Appellant.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock

Wednesday. May 1st 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Badger. It is ordered that Richard C Parsons Esquire of Missouri be admitted to practice as an Attorney and Counsellor of this Court. and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney General Johnson. It is ordered that John J Lloyd. Esquire. of Virginia. be admitted to

practice as an Attorney and Counsellor of this Court. and he was sworn accordingly.

93. William H. Taylor. Appt
vs.
The Merchants Fire Insurance Company.

The argument of this cause was continued by Mr. Attorney General Johnson for the Appellant. by Messrs Lloyd and Nelson for the Appellee and by Mr. Attorney General for the Appellant.

On motion first made to the Court in this behalf by Mr. Attorney General Johnson It is ordered that J. E. McDonald. Esquire. of Indiana. be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock.

Thursday, May 2nd, 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney.	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury. dy	
	Robert C. Grier	

Richard Wallach, Esquire, Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Johnson. It is ordered that Alex Cobey Hall, Esquire, of New York be admitted to practice as an Attorney, and Counsellor of this Court, and he was sworn accordingly;

88.	Robert Ruffin Barrow. vs. Josiah Peab	In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

Pr Mr Jus Woodbury.

93.	William H Taylor Appt vs. The Mercantile Fire Insurance Company	The argument of this cause was concluded by Mr Attorney General Johnson for the Appellant.

95.	Ambrose Walden's heirs vs. Thomas Bodley's heirs &c. Appts	The argument of this cause was commenced by Mr Underwood for the Appellant

Thursday May 2nd 1850 continued

Ambrose Waldens heirs &c. Appts vs Thomas Bedley's heirs &c.	The argument of this cause was commenced by Mr Underwood for the Appellants.

Proclamation being made the Court is adjourned until to morrow morning at Eleven O'clock.

Pursuant to adjournment the Court met this morning, at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice

John McLean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier
Associate Justices

Richard Wallach Esqr. Marshal.
William Thomas Carroll Clerk.

Proclamation having made the Court is opened.

On motion first made to the Court in this behalf by Mr. Key. It is ordered that John A. Campbell and P. Phillips. Esquires. of Alabama. be admitted to practice as Attorneys and Counsellors of this Court, and they were severally sworn accordingly.

	Smith Hogan & al-	Mr Lee, of counsel for the
181	vs. Plff in Er.	defendant in error moved
	Jarvis Lessee of Nel Patterson.	the Court to dismiss this

writ of error because no citation appears to have been issued or served. Whereupon it is now here ordered by this Court that this motion be and the same is hereby set down for next Friday, the 10th instant, and that the said counsel give notice hereof to the counsel for the plaintiffs in error.

	James Stimpson - Plff in Er	Mr Campbell, of counsel
123	vs.	for the defendant in error.
	The Baltimore and Susquehanna	moved the Court to dismiss
	Rail Road Company;	this cause for want of juris-

-diction. Whereupon it is now here ordered by this Court that this motion be and the same is hereby set down for next Friday the 10th instant, and that the said counsel give notice hereof to the counsel for the plaintiff in error.

	Joseph Fleming & William A	On a certificate of division
	Marshall trading under the firm	in opinion between the
	of Fleming and Marshall.	Judges of the Circuit
193	vs. Plff.	Court of the United
	James Page Collector U. S.	States for the Eastern

District of Pennsylvania...

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and on the point a question on which the judges of the said Circuit Court were opposed in opinion, and which was certified to this Court for its opinion, agreeably to the act of Congress in such case made and provided, and was argued by Counsel. On consideration whereof, it is the opinion of this Court, that Tampico was a foreign port within the meaning, of the act of Congress of 30th of July 1826, intitled "an act reducing, the duties on imports, and for other purposes;" and that the goods, wares and merchandize as set forth and described in the record were liable to the duties charged upon them under said act of Congress. Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

(Ord. Mr. Ch. Jus. Marshall.

Delivered by Mr. Jus. Johnson.

Friday, May 3rd, 1850. continued.

176	George M. Gill, Trustee &c vs. Jeffris &c Robert Oliver's Exors &al, Trustees &c.	The argument of the motion to dismiss these cases was commenced by Mr Campbell in support thereof, and continued by Messrs Nelson & Ashley in opposition thereto, and by Mr Attorney General Johnson in support of the same.
177	Nathaniel Williams, Trustee &c. vs. Jeffris &c Robert Oliver's Exors &al, Trustees &c.	
178	Nathaniel Williams, Trustee &c vs. Jeffris &c Robert Oliver's Exors &al, Trustees &c.	

Proclamation being made the Court is adjourned until Monday morning, at Eleven O'Clock.

Monday, May 6th. 1850.

It is ordered by the Court that the Court do adjourn until the first Monday in June next at the Capitol.

Present

The Honorable Peyton B. Harvey, Chief Justice
John A. McLean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier
Richard Wallach, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is open

175. George M. Bell, Executor &c. vs. Plaintiffs in Error.
Robert Oliver's Exrs. Defendants &c.

176. Nathaniel Williams, Executor &c. vs. Plaintiffs in Error.
Robert Oliver's Exrs. Defendants &c.

The motion
the motion
these cases
cluded by
Court for

195.	Nathaniel Williams Trustee &c. vs. Robert Oliver's Exrs &al. Trustees &c.	support of the same.

95.	Ambrose Walden's heirs - Appls. vs. Thomas Bodley's heirs &ac.	The argument of this cause was continued by Mr. Morehead for the appellees and by Mr. Underwood for the appellants.

96.	Ambrose Walden's heirs - Appls. vs. Thomas Bodley's heirs &ac.	The argument of this cause was continued by Mr. Morehead for the appellees and by Mr. Underwood for the appellants.

Proclamation being made the Court is adjourned until to morrow morning, at Eleven O'Clock.

Tuesday, May 7th 1850.

Pursuant to adjournment the Court met this day at the Capitol.

Present

The Honorable John G. Nelson, Chief Justice
John McLean
James M. Wayne
John Catron
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire Marshal.

William Thomas Carroll, Clerk.

Proclamation being made, the Court is opened.

77	Benjamin F. Humphreys, Appt vs. Thomas Leggett Jr. Samuel Swift & Swift Sanford.	On appeal from the Court of the United for the Southern D of Mississippi.

This cause came on to be heard on the transcript of the record from the Court of the United States for the Southern D of Mississippi and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and d

by this Court. that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs. and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

Pr. Mr Jus: Grier.

George S. Gaines. Francis L. Lyon and his wife Sarah Lyon James. M. Davenport and his wife Martha Davenport. Goodman & Griffin and his wife Kelley Ann Griffin. George Frederick Glover. Ann Gaines Glover. Seimes Davenport Glover. Mary Thompson and Mary A. Glover.

86. vs. Appts.

Isaac H. Nicholson. Peychaton U. Thurmond. Saml. B. Barnes. John L. Moseley. J. M. Forde & John Kilman...

On appeal from the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On Consideration whereof. it is now here ordered and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs. and that this cause be and the same is hereby remanded to the said Circuit Court with directions to that Court to

dissolve the injunction granted in this case and to dismiss the bill of the complainants.

Jr Thos Jos: Wilson.

	Ambrose Waldens heirs-	The argument of this cause
95	vs	was concluded by Mr Hopkins
	Thomas Bedingers heirs &c.	for the appellants
	Ambrose Walden's heirs	The argument of this cause
96.	vs	was concluded by Mr
	Thomas Bedinger's heirs &c.	Underwood for the appellants.
	Thomas Townsend-Pltff in Er.	The argument of this cause
97.	vs	was commenced by Mr Key
	Robert Jamison Jr	for the plaintiff in error
		and continued by Messrs

Laurence and Badger for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning 11 oclock.

Wednesday. May 8th. 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Levi Woodbury	
	Robert C. Grier.	

Richard Wallach. Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

90 Robert McHarrison
United States Consul. &c. Appt.
vs
George C Rose

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Maine.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine and on the point or question on which the judges of the said Circuit Court were opposed in

opinion, and which was certified to this Court for its opinion, agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof, it is the opinion of this Court, that on the testimony in this case, it was not the duty of the defendant, who was master in command of the ship or vessel called the Ofronange; on his arrival at Kingston in the Island of Jamaica, to deposit his register, sea letter and Mediterranean passport, with the United States Consul of said port. Whereupon it is now here ordered and adjudged that it be so certified to the said Circuit Court.

Per Mr Jus. Wordbury.

The United States - plffs.	On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Michigan.
vs.	
Ephraim Briggs.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Michigan, and on the point or question on which the Judges of the said Circuit Court were opposed in opinion, and which was certified to this Court for its opinion, agreeably to the act of Congress

in such case made and provided, and was argued by counsel. On consideration whereof it is the opinion of this Court, that the offence charged and set forth in the indictment in this cause, of cutting, removing, or using for any other than Naval purposes, any live or timber standing, growing, or being on any lands belonging to the United States, whether reserved for Naval purposes or not, is, under the Statutes of the United States, an indictable offence and punishable by fine and imprisonment. Whereupon it is now here ordered and adjuged by this Court that it be so certified to the said Circuit Court.

Per Mr. Justice Catron.

Thomas Townsend.	The argument of this cause was
vs. pltff in Er.	concluded by Mr Key for the
Robert Jemison Jr	plaintiff in error.

Robert Farmer's heirs.	The argument of this cause
vs. pltff in Er.	was commenced by Mr Phillips
The City of Mobile Et al.	for the plaintiffs in error, and
	continued by Mr Campbell

for the defendants in error.

110. Peter Hogg & al. plaintiffs in error
as
John B. Emerson

On motion of Mr Attorney General Johnson, of counsel for the plaintiffs in error and with the assent of Mr Love, of counsel for the defendant in error, it is now here ordered by the Court, that this cause be and the same is hereby continued to the next term.

Proclamation being made, the Court is adjourned until tomorrow morning, at Eleven O'Clock.

Thursday. May 9th. 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Richard Wallach, Esquire, of the District of Columbia, appeared and produced the following Letters Patent, which were read in open Court and ordered by the Court to be recorded on the minutes of this Court in the following words, to wit:

Zachary Taylor.

President of the United States of America. To all who shall see these presents Greeting:

Know Ye, That

reposing special trust and confidence in the integrity, ability and diligence of Richard Wallach I have nominated, and by and with the advice and consent of the Senate, do appoint him Marshal of the United States in and for the District of Columbia, and do authorize and empower him to execute and fulfill the duties of that office according to law, and to have and to hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto him the said Richard Wallach for the term of Four years from the day of the date hereof, unless the President of the United States for the time being, should be pleased sooner to revoke and determine this Commission.

In Testimony Whereof, I have caused these Letters to be made Patent and the seal of the United States to be hereunto affixed.

Seal.

Given under my hand at the City of Washington the twenty fifth day of April in the year of our Lord one thousand eight hundred and fifty and of the Independence of the United States of America the Seventy fourth.

Z. Taylor.

By the President.

J. M. Clayton. Secretary of State.

Thursday. May 9th 1850 continued

On the back of which was the following indorsement. 9 May 1850 Bond approved and filed in the District Court for District of Columbia, and oath of office duly administered and certified.

W. Graves.

Robert Farmer's heirs		The argument of this cause
95.	vs	Jeffris Ex. was concluded by Mr Love
The City of Mobile Sal.		for the plaintiffs in error.

Robert Farmer's heirs		The argument of this cause
97	vs	Jeffris Ex. was commenced by Mr Phillips
Miguel E. Eslava Sal.		for the plaintiffs in error, and
		continued by Mr Campbell for the

defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
John McLean
James Mc. Kayne
John Catron Associate
Samuel Nelson Justices
Levi Woodbury
Robert C. Grier.

Richard Wallach, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Coxe. It is ordered that Andrew Hyde Jr Esquire, of Virginia, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

John A. Perrine - Compl
vs.
The Chesapeake & Delaware Canal Company.

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Delaware.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Delaware, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion, agreably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof, it is the opinion of this Court. 1st. That the Canal company is not entitled to charge the compensation or toll for passengers on board the complainants boats passing through the Canal. And 2ndly. That the complainant has a right to navigate the Canal for the transportation of passengers with passenger boats without paying any toll on the passengers on board, upon his paying, or offering to pay the toll prescribed by law, where commodities are on board, or the toll prescribed by law on a vessel or boat when it is empty of commodities. Whereupon it is now here ordered and decreed that it be so certified to the said Circuit Court.

Pr Mr Ch: Jus: Taney.

Mr Justice Daniel, being too much indisposed to be present

in Court this morning, directed the Clerk to enter his concurrence in the opinion of the Court in this case. Dissenting, Mr Justices McLean, Nelson & Woodbury.

250.	The United States. Plffs in Err. vs. Horace Southmayd &ac.	On the motion of Mr Attorney General Johnson, of counsel for the Plaintiffs in error, and [illegible] of Mr Fowler of counsel for the defendants in error. It is now here ordered by the Court that this cause be set down for argument on next Monday week, the 20th instant.
181.	Smith Hogan &al. vs. Jaren Ross, use of R. Patterson. (Affirmance.	Mr Featherston of counsel for the Plaintiffs in error having filed and read in open Court the following suggestion of a diminution of the record in this case, to wit: "That the copy of the record does not show that a citation was issued and served, and moves for a Certiorari to the Court below to bring up a copy of the record of said citation" now here moved the Court for a writ of certiorari. Whereupon this Court not being now here sufficiently advised of and concerning, what order to render in the premises, doth now here order that said motion, and also the motion of Mr Love to dismiss

Friday May 16th 1830. continued

this cause be set down for argument next Friday the 17th instant

Robert Farmers heirs. vs Pfffs in Er. Maynes C C claim &c.	The argument of this cause was continued by Mr Campbell for the defendants in error, and concluded by Mr Love for the plaintiffs in error.

97

Horace Sears &c. pffs in Er. vs Municipality No One of the City of New Orleans	Mr Walker of counsel for the plaintiffs in error, now here moved the Court for leave to make an additional argument in this case.

87

Whereupon this Court, not being now here sufficiently advised of and concerning what order to render in the premises, took time to consider.

William Pollards heirs. vs Pfffs in Er. Louis Gibbs	Mr Campbell now here moved the Court for leave to file as a part of the record hereof certain Spanish documents in pages 15, 16 & 17 of the printed record, to which Messrs Phillips and Love in behalf of the plaintiffs in error, assented.

100

Whereupon it is now here ordered by the Court that the

said translations be received and filed as a part of the record in this cause.

Proclamation being made the Court is adjourned until Monday morning at Eleven Oclock.

Monday. May 13th. 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice.
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury dy	
	Robert C. Grier.	

Richard Wallach, Esquire. Marshal.

William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

The United States -	Pltffs	On a certificate of division
	vs.	in opinion between the Judges
141. Peter Mangold		of the Circuit Court of the
		United States for the Northern

District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New

York and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for their opinion, agreably to the act of Congress in such case made and provided, and was argued by Counsel. On consideration whereof, it is the opinion of this Court - 1st. That Congress had power and authority under the Constitution to enact so much of the 20th Section of the act of 3d March 1825 entitled "An act more effectually to provide for the punishment of certain crimes against the United States and for other purposes" as relates to bringing into the United States counterfeit coins. And 2dly. That Congress under and by virtue of the Constitution had power to enact so much of the said 21st Section as relates to uttering, publishing, passing, and selling of the counterfeit coins therein specified. Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

Per Mr. Jus. Daniel.

Horace Peas Syl.

vs. Jeffson Ex

Municipality No One of the City of New Orleans.

On consideration of the motion made in this cause by Mr. Walker last Friday the 10th instant, it is now here ordered by the Court

Monday May 15. 1830. continued

that said motion be and the same is hereby overruled.

The United States plff's	On motion of Mr. Attorney
vs.	General Johnson, it is now
141 Peter Marigold	here ordered by the Court

that the Clerk do forthwith issue a mandate in procedendo in this case.

The United States plff's	On motion of Mr. Attorney
vs.	General Johnson, it is now
82 Ephraim Briggs	here ordered by the Court

that the Clerk do forthwith issue a mandate in procedendo in this case.

Mr. Chief Justice Taney announced to the Bar that the Court would adjourn the 31st instant, and that it would not take up any cause for argument after Tuesday the 28th instant.

William Pollards heirs	The argument of this cause
vs. Error to	was commenced by Mr. Phillips
100 Gaines Hebbe.	for the plaintiffs in error, con-

tinued by Mr. Campbell for the defendant in Error, and concluded by Mr. Key for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock.

Tuesday, May 14, 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Peter V. Daniel Associate
Samuel Nelson Justices
Levi Woodbury
Robert C. Grier

Richard Wallach, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Robert H. Walker appellant vs. William D. Freeman adm'r of Richard Keay deceased.	In error to the District Court of the United States for the Middle District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Middle District of Alabama and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the

judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with instructions to cause an issue to be made upon the special plea filed by the defendant below under the Statute of Alabama, and to award a venire facias de novo to try that issue.

Per Mr. Justice Daniel.

Dissenting Mr. Justice Nelson.

Isaac Atkinson - Plff in Er. vs. John Cummins	On motion of Mr. Ceeser of counsel for the plaintiff in error, and with the assent of Mr. Wylie, of counsel

102.

for the defendant in error, it is now here ordered by the Court that the judgment of the Circuit Court filed in this cause yesterday by the stipulation of the said counsel, be made part of the record in this cause and be considered and treated as and for the judgment rendered by the said Circuit Court in this cause.

Isaac Atkinson - Plff in Er. vs. John Cummins	The argument of this cause was commenced by Mr. Ceeser for the plaintiff in error, continued by Mr. Wylie

102.

Tuesday. May 14th. 1850. continued

for the defendant in error. and concluded by Mr Cooper for the plaintiff, in error

	Obadiah B. Brown.	
103.	vs	
	The United States.	The argument of these causes was commenced by
	and	
	The United States. plffs in Er	Atty. Genl. Johnson
104.	vs	for the United States.
	Obadiah B. Brown.	

Proclamation being made the Court is adjourned until tomorrow morning, at Eleven Oclock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice

John McLean
James M Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier
} Associate Justices

Richard Wallach Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Johnson, it is ordered that William U. Hensel, Esquire, of Pennsylvania, and Joel Giles, Esquire, of Massachusetts, be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly,

Wednesday. May 15th. 1850 continued

103.	Obadiah B. Brown for plaintiffs vs The United States —————— and The United States - for plaintiffs in Er vs. Obadiah B. Brown.	The argument of these causes was continued by Attorney General Johnson for the United States. by Messrs Bradley and Cove for Mr Brown. and concluded by the Attorney General for the United States.
104		
207.	William H. Marriott. vs. for plaintiffs in Er. Frederick W. Brune Jal.	On the motion of Mr Attorney General Johnson of counsel for the plaintiff in error. and with the assent of Mr Brune. of counsel for the defendant in error. it is now here ordered by the Court that this cause be set down for argument on next Monday the 20th instant. in connection with No 250.

Proclamation being made the Court is adjourned until tomorrow morning, at Eleven O'Clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	Associate Justices
	James M. Wayne	
	John Catron	
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach, Esquire, Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

William J. Hill for Compt vs 92. The United States &c.	On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Southern

District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of,

Mississippi and on the point or question on which the Judges of the said Circuit Court were opposed in opinion, and which was certified to this Court for its opinion, agreeably to the act of Congress in such case made and provided, and was argued by Counsel. On consideration whereof, it is the opinion of this Court, that the motion in behalf of the United States in this cause should have been sustained and that the Bill as to the United States should be dismissed as having been improvidently allowed. Whereupon it is now here ordered and decreed by this Court that it be so certified to the said Circuit Court.

Per Mr. Jus. Daniel.

107	The United States Pltffs in Er vs. John W. Roberts Dft.	This cause was argued by Mr. Attorney General Johnson for the plaintiffs in error.
108.	Sullivan, Wilcox and Welch vs. Pltffs in Er Richard S. Jones. and The State Bank of Alabama vs. Robert H. Dalton.	These cases were submitted to the consideration of the Court on the record and printed arguments by Mr. Featherston for the plaintiffs in error and Mr. Adams for the defendants in error.
109		

111.	Jesse Hoyt - Pltff in Er vs The United States	On motion of Mr Attorney General of counsel for the defendants in error, it is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

112.	Henry M. Bayard. vs Pltff in Er Israel Lombard Jac.	The argument of this cause was commenced by Mr Brewster for the plaintiff in error, and continued by Mr Read for the defendants in error.

116.	John Hagan surviving partner of the late firm of John Hagan & Co - Appts vs William H. Pope & Samuel Breck, administrators of Leroy Pope, deceased.	Mr Attorney General for the of counsel for the Appellants having suggested the death of William H. Pope, one of the Appellees in this cause, moved the Court for an order under the 25th rule of Court to make the proper representatives parties. On consideration whereof it is now here ordered by the Court that unless the proper representatives of the said William H. Pope, deceased, shall voluntarily become parties to the

the first ten days of the ensuing term. the Appellant shall be entitled to open the record and on hearing have the same reversed, if it be erroneous. Provided that a copy of this order shall be printed in some newspaper at the seat of Government in which the laws of the United States shall be printed by authority, for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing.

106	John Hagan ... Appt. vs. Levey Pope's administrators.	On motion of Mr. Attorney General Johnson, of counsel for the appellant, it is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

Proclamation being made the Court is adjourned until tomorrow morning, at Eleven O'clock.

Pursuant to adjournment the Court and this morning, at the Capitol.

Present.

The Honorable	Roger B. Saun	Chief Justice.
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury &	
	Robert C. Grier.	

Richard Wallach Esquire Marshal.

William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

Robinson Lytle and Lydia Louisa Lytle, his wife, Elias Hooper and Mary E. Hooper his wife, and Nathan H. Hoyes, a minor, by his guardian and next friend Felix Grundy

vs. Plffs in Er

The State of Arkansas, William Russel, Samuel C. Roane, Ebenezer Hastes, Lambert Pearson, Henry L. Biscoe, William E. Moore, John Preston Jr, Anthony H. Davies, Sanford C. Faulkner, Silas Craig, George

Hill, Enoch T. Smith, James H. Wacher, and John Drennen, as surviving trustees and assignees of the Real Estate Bank of the State of Arkansas and Richard C. Byrd William M'Iffen Ebenezer Hazlen John Russell, John H. Eccle Frederick A. Tompkins, George C. Watkins, James R. Hempstead, John Nevins, John Percifull, James F. Conway, Henry F. Pendleton, Jacob Mitchell, John H. Lewis, William C. Bradsby, Chester Ashley, William L. Byrd, William M Daniel, and John Morrison and Edney Morrison his wife.

In error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to the opinion of this Court.

Per Mr Jus: McLean.

Dissenting, Mr Justices Catron, Nelson & Grier.

181.	Smith Hogan &al. pltfs in Er. vs. Aaron Ross use of W. Patterson	The motion filed by Mr Hove to dismiss this cause was argued by him in support thereof, and by Mr Featherston in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.
181	Smith Hogan &al. pltfs in Er. vs. Aaron Ross use of W. Patterson	The motion filed by Mr Featherston for a certiorari in this cause was argued by him in support thereof, and by Mr Love in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.
82.	The United States pltfs vs. Ephriam Briggs	Mr Westcott now leave of the Court for leave to withdraw the motion filed by him yesterday in this cause. Whereupon it is now here ordered by the Court that the leave prayed for be and the same is hereby granted.

	Septimus Tatton plff in Er	The motion of Mr. Attorney
148	vs	General Johnson to dismiss
	The United States	this case was argued by

him in support thereof and by Messrs Westcott and Walker in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

	Joseph Forsyth plff in Er	The motion of Mr. Attorney
151	vs	General Johnson to dismiss
	The United States	this case was argued by

him in support thereof and by Messrs Westcott and Walker in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

	Cyprian Simpson plff in Er	The motion of Mr. Attorney
153	vs	General Johnson to dismiss
	The United States	this case was argued by

him in support thereof and by Messrs Westcott and Walker in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises

both time to consider.

Henry M. Bryant plaintiff in Error	The argument of this cause was continued by Mr Read for the defendants in error.
112 Israel Lombard &al.	

Proclamation being made the Court is adjourned until Monday morning at Eleven Oclock.,

Monday, May 20th 1850.

Pursuant to adjournment the Court met this morning, at the Capitol.

Present

His Honor	Roger B Taney, Chief Justice
	John McLean
	James Mc. Wayne
	John Catron, Associate
	Peter V. Daniel, Justices
	Samuel Nelson
	Levi Woodbury dy
	Robert C. Grier

Richard Wallach Esquire, Marshal.

William Thomas Carroll, Clerk.

Proclamation being, made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Johnson It is ordered that William H Audrey Esquire, of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court. and he was sworn accordingly;

On motion first made to the Court in this behalf by Mr Mitchell, It is ordered that Willis

A Gorman. Esquire. of Indiana. be admitted to practice as an Attorney and Counsellor of this Court. and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr B. F Butler. It is ordered that Jesse Gifford. Esquire. of New York. be admitted to practice as an Attorney and Counsellor of this Court. and he was sworn accordingly.

151.	Smith Hogan Pet. Petitioner vs. Aaron Ross use of P Patterson	On consideration of the motion made by Mr Fox heretofore on a prior day of the present term. to wit. on Friday. the 17th instant. for a writ of certiorari to bring up the citation in this case. and of the arguments of Counsel thereupon had. as well in support of as against the said motion. it is now here ordered by this Court that said motion be and the same is hereby overruled.

Smith Hogan. Arthur S Hogan & Richard G Hogan's 181 vs Plffs in Er Aaron Ross. who sues for the use of Robert Patterson.	In error to the District Court of the United States for the Northern District of Mississippi. This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi. and on the motion of Richard S Coxe Esquire. of counsel for the defendant in error. stating that no citation had been issued or served upon the defendant in error. and was argued by counsel. On consideration whereof. it is now here ordered. and adjudged by this Court that this cause be and the same is hereby dismissed with costs. Jas Mr Ch Jus Taney.
Henry Mr Bayard. 112 vs Plff in Er Israel Lombard & al.	The argument of this cause was concluded by Mr Brodie for the plaintiff in error.
William H. Merriell 207 vs Plff in Er Frederick W. Bourne & al.	The argument of this cause was commenced by Mr Attorney General Johnson for the plaintiff in error.

250.	The United States - Peppin &c. vs Horace Southmayd &c.	The argument of this cause was commenced by Mr Attorney General Johnson for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning, at Eleven O'Clock.

Tuesday, May 21st 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James Mc. Wayne
John Catron
Peter V. Daniel Associate
Samuel Nelson Justices
Levi Woodbury &
Robert C. Grier.

Richard Wallach, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

103	Isaac Atkinson Plff in Er vs. John Cummins	In error to the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the

said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Jus. Grier.

Samuel Davis. Appellee vs The Police Jury of the Parish of Concordia.	In error to the Supreme Court of the State of Louisiana.

77

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs, and that this cause be and the same is hereby remanded for such further proceedings as the said Supreme Court may deem necessary.

Per Mr. Jus. Wayne

Horace Pease & Elijah Fish owners of the Steamboat Stillana. vs) Appeals in Er. The Municipality No One of the City of New Orleans.	In error to the Supreme Court of the State of Louisiana.

57

This cause

Tuesday. May 21st 1850. continued

came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana. and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

By a divided Court.

	William H. Morriott. & Jeffm Ex Frederick W Bruns Jal.	The argument of this cause was continued by Mr Bruns for the defendants in error.
230	The United States - Jeffm Ex vs Horace Southmayd Jal.	The argument of this cause was continued by Mr Butler. for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow morning, at Eleven O'clock.

Wednesday: May 22d. 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	James M. Wayne	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Levi Woodbury &	
	Robert C. Grier.	

Richard Wallach, Esquire Marshal.

William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

The United States plff in Er vs. Horace Southmayd & al.	The argument of this cause was continued by Mr Butler for the defendants in error and concluded by Mr Attorney

1850.

General Johnson for the plaintiffs in error:

William H. Marriott vs. Frederick W. Brune & al.	The argument of this cause was concluded by Mr. Attorney General Johnson

of

for the plaintiff in error.

Benjamin H. Lambert &al.	The argument of this cause
113. vs. Jeffs.	was commenced by Mr. May
William Thistlin	for the plaintiffs and con-
	tinued by Mr Meredith

for the defendants.

Proclamation being made the Court is adjourned until tomorrow morning, at Eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Peter V. Daniel Associate
Samuel Nelson Justices
Levi Woodbury &
Robert C. Grier.

Richard Wallach Esquire Marshal
William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the behalf by Mr. B. F. Butler. It is ordered that R. Rantoul Esquire. of Massachusetts. be admitted to practice as an Attorney and Counsellor of this Court. and he was sworn accordingly.

93	William H. Taylor Appt vs The Merchants Fire Insurance Company	On appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to that Court to take such proceedings therein as may be necessary to carry into effect the opinion of this Court.

per Mr Justice Nelson

113	Benjamin H. Lambert &al vs Jeffs. William Thurston	The argument of this cause was continued by Mr Meredith for the defendant and concluded by Mr May for the plaintiffs.

114	Joshua Kennedy's Lessee. vs. Sidney E. Collins. Appl	The argument of this cause was commenced by Mr Hopkins for the Appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven Oclock.

Friday, May 24th. 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

His Honor	Roger B Taney	Chief Justice
	James M. Wayne	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices.
	Levi Woodbury dy	
	Robert C. Grier	

Richard Wallach, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr Attorney General Johnson. It is ordered that Philip St George Cooke Esquire, U.S. Army, Missouri, and Davis H. Hooper Esquire of Mississippi be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly.

On motion first made to the Court on this behalf by Mr Underwood. It is ordered that Humphrey

Marshall Esquire. of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

148.	Loftin Cotton. pltff in Er vs The United States	On motion of Mr Walker of counsel for the plaintiff in error, and with the assent of Mr Attorney General Johnson, of counsel for the defendants in error. It is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.
151.	Joseph Forsyth. pltff in Er vs The United States	This cause was submitted to the Court on the record by Mr Walker for the plaintiff in error and by Mr Attorney General Johnson for the defendants in error.
153	Ezekiel Simpson. pltff in Er vs The United States.	This cause was submitted to the Court on the record by Mr Walker for the plaintiff in error and by Mr Attorney General Johnson for the defendants in error.

114	Joshua Kennedy heir &al vs. Sidney E. Collins	Appe	The argument of this cause was continued by Mr Hopkins for the appellants and by Mr J. A. Campbell for the appellee.

	Richard Walden &al heirs & representatives of Ambrose Walden deceased.	Appts	On appeal from the Circuit Court of the United States for the District of Kentucky.
J.S.	vs. Thomas Bradley's heirs and representatives, Robert Pegues heirs & Representatives &al.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky and was argued by Counsel. On consideration whereof it appears to this Court that that part of the decree of the said Circuit Court in the case between Thomas Bradleys heirs Robert Pegues heirs and others, Complainants, and Ambrose Waldens heirs, defendants on a mandate from this Court, that the heirs of Ambrose Walden were not entitled to obtain in the proceeding, against John N. Pindar the possession of the parcel of land designated on the plat of the survey by the letters and figures 1 a. b. 4. 5. 6. 11 & 1, as

erroneous and should be reversed; and also that that part of said decree that the said heirs of Walden were not entitled to obtain in the proceedings against Thomas Blair the possession of the parcel of land in his possession designated in the report of the Surveyor by the figures 13. 14. 5. 6. 11 & 15. containing fifteen acres one rood and seven poles, is erroneous and should be reversed; and that the residue of the said decree should be affirmed with the modifications stated in the opinion of this Court in this case at this term. Whereupon it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause for the errors aforesaid and to the extent thereof be and the same is hereby reversed and annulled, that the heirs of Ambrose Walden recover a moiety or one half of their costs on this appeal in this Court of and from the said John N. Pavelor, and the other moiety or half of and from the said Thomas Blair, and that they have execution against them severally therefor. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to that Court to carry into effect the opinion of this Court (hereto annexed and made part of this mandate) and for such further proceedings to be had herein as may be in conformity to this opinion

Friday, May 24. 1850. continued.

and as to law and justice may appertain.

per Mr Jus: Catron.

Richard Walden Exr. heirs & representatives of Ambrose Walden deceased — Appts

vs.

Thomas Walden's heirs & representatives. Robert Pogue's heirs and representatives &c.

On appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by Counsel. On consideration whereof it seems to this Court that there is no error in the decree of the said Circuit Court dismissing the cross-bill filed 25th November 1834 by Ambrose Walden and the amendments and other proceedings in said cross-bill. Whereupon it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr Jus: Catron.

Proclamation being made the Court is adjourned until Monday morning, at Eleven O'clock.

Pursuant to adjournment the Court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	James M. Wayne	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson,	Justices
	Levi Woodbury &	
	Robert C. Grier.	

Richard Wallach, Esquire, Marshal

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

	Joshua Kennedy Exr.	The argument of this cause
114	vs Appls	was continued by Mr Camp-
	Sidney E. Collins	-bell for the Appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve O'Clock.

Tuesday, May 28th 1850.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	James M. Wayne	Associate Justices
	John Catron	
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury dec'd	
	Robert C. Grier.	

Richard Wallach, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

148.	Lofton Cotton pff in Er vs. The United States	On consideration of the motion made by the Attorney General on a prior day of the present term, to wit: on Friday the 17th instant to dismiss this case for the want of jurisdiction and of the arguments of counsel thereupon had as well against as in support of the motion. It is now here ordered by the Court that the said motion be and the same is hereby overruled.

151	Joseph Forsyth - Pff in Er vs The United States	On consideration of the motion made by the Attorney General on a prior day of the present term, heard on Friday the 17th instant, to dismiss this case for the want of jurisdiction, and of the arguments of counsel thereupon had as well against as in support of the motion, it is now here ordered by the Court that the said motion be and the same is hereby overruled.
153	Ezekiel Simpson Pff in Er vs The United States.	On consideration of the motion made by the Attorney General on a prior day of the present term, to wit: on Friday, the 17th instant, to dismiss this case for the want of jurisdiction, and of the arguments of counsel thereupon had as well against as in support of the motion, it is now here ordered by the Court that the said motion be and the same is hereby overruled.
196	George M. Gill, Trustee &c Pff in Er vs Robert Oliver's Exors & al Trustees &c	It is now here ordered by the Court that the further consideration of the motion by the Attorney General to dismiss this case for the want of jurisdiction be and the

same is hereby reserved for the final hearing on the merits.

197.	Nathaniel Williams. Trustee &c vs Peter Oliver Exr &c.	It is now here ordered by the Court that the further consideration of the motion by the Attorney General to dismiss this case for the want of jurisdiction be and the same is hereby reserved for the final hearing on the merits

198.	Nathaniel Williams. Trustee &c vs Peter Oliver Exr &c.	It is now here ordered by the Court that the further consideration of the motion by the Attorney General to dismiss this case for the want of jurisdiction be and the same is hereby reserved for the final hearing on the merits.

114	Joshua Kennedy heirs &c. vs Sidney E. Collins.	The argument of this cause was continued by Mr. Attorney General Johnson for the Appellants

12.	Henry McPayard. pltff in Er. vs. Israel Kimball & Charles C. Whitmore	In error to the Circuit Court of the United States for the Eastern District of Pennsylvania

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Jus: Grier.

John Doe ex dem. Catharine Louisa Barbarie, Ann Billup Barde, David R. Brewer & Ann B. Brewer his wife Curtis Lewis & Isabella Lewis his wife, John T. Lackey & Margaret Lackey his wife, heirs & legal representatives of Rebel Farmer, deceased. Plff in Err.

vs.

Miguel D. Eslava, The Mayor & Aldermen of the City of Mobile and Joseph Clements.

In error to the Supreme Court of the State of Alabama.

99

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment

of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr Jus: Woodbury.

John Doe. on the dem of Robert Farmer's heirs - Plff in Er.

vs.

The Mayor. Aldermen and Common Council of the City of Mobile and Joseph Clements.

In error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof. it is now here ordered and adjuged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr Jus: Woodbury.

John Woodville. ex dem. John Pollard. William Pollard. John Fowler and Harriet his wife. late Harriet Pollard. Henry P. Ensign and Phebe his wife. late Phebe Pollard. George Huggins and Louisa his wife.

In error to the Supreme

Late Louisa Pollard. Joseph Case & Eliza his wife, late Eliza Pollard. heirs & legal representatives of William Pollard. deceased. vs. Gaius Hibbé.	Court of the State of Alabama.

160 Jeff in Er

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama and was argued by counsel. On consideration whereof. it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr Ch. Jus. Taney.

Joseph Forsyth. vs. The United States	In error to the District Court of the United States for the Northern District of Florida.

151 Jeff in Er

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Florida and was argued by counsel. On consideration whereof. it is now here ordered and adjudged by this Court that the judgment of the said District Court in

this cause be and the same is hereby reversed and annulled for the want of jurisdiction in that Court, and that this cause be and the same is hereby remanded to the said District Court with directions to quash the indictment and discharge the prisoner.

per Mr Jus Nelson

Ezekiel Simpson - Plff in Er vs. The United States	In error to the District Court of the United States for the Northern District of Florida.

153

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Florida and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby reversed and annulled for the want of jurisdiction in that Court, and that this cause be and the same is hereby remanded to the said District Court with directions to quash the indictment and discharge the prisoner.

per Mr Jus Nelson

103.	Obadiah B. Brown. plff in Er. vs. The United States.	In error to the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by counsel. On consideration whereof. this Court having, reversed the judgment of the said Circuit Court in this cause at the present term on the writ of error by the plaintiff and having, remanded the same to the said Court for further proceedings in conformity to the opinion of this Court. it is now here ordered and adjudged by this Court that this writ of error be and the same is hereby dismissed.

Per. Mr Jus. Daniel.

104	The United States. plff in Er. vs. Obadiah B. Brown.	In error to the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington.

This cause came on to be heard on the transcript of the record from the

Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo and for such further proceedings to be had therein as may be in conformity to the opinion of this Court and as to law and justice may appertain.

Per Mr Jus: Daniel.

The President & Directors of the Bank of the State of Alabama.	In error to the District Court of the United States for the Northern District of Mississippi.
107. vs. Jeffersin &c.	
Robert H. Dalton.	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs.

Per Mr Jus: Catron.

Joseph H. Dulles. Edward Wilcox & John Welsh. late partners in trade under the name and Style of Dulles. Wilcox and Welsh.	In error to the District Court of the United States for the Northern District of Mississippi.
168. vs. Jefferson Co.	
Richard S. Jones.	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi. and was argued by Counsel. On consideration whereof. it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs.

Per Mr Jus. Catron.

Thomas Townsend. Jefferson Co.	In error to the District Court of the United States for the Middle District of Alabama
17. vs.	
Robert Jemison Jr.	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Middle District of Alabama, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged

Tuesday, May 28th 1850. continued.

by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

Per Curiam Jus Wayne

Proclamation being made the Court is adjourned until tomorrow at Twelve Oclock.

Pursuant to adjournment the Court met this day at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	James M. Wayne	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Levi Woodbury &	
	Robert C. Grier.	

Richard Wallach Esquire Marshal.

William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Benj. Howard. it is ordered that Joseph H. Fallen, and George T. Andrews. Esquires of New York. be admitted to practice as Attorneys and Counsellors of. this Court. and they were severally sworn accordingly.

Order of Court

It is ordered. that the Reporter and Clerk of this Court shall digest a plan for making up the records

Wednesday May 29th 1850. continued

in the Courts below which are to be brought to this Court by writs of error or by appeal. That the same shall be submitted to the Chief Justice for his approval. and if approved by him that the Clerk be directed by the Chief Justice to have the same printed. Copies of which the Clerk shall send to the judges of the Circuit and District Courts of the United States and to the Clerks of the same.

The State of Pennsylvania. Compt.
vs
The Wheeling & Belmont Bridge Company, William Ogerson and George Croft.

Bill in Equity.

The Court having heard the counsel on the part of the Complainant, and also on the part of the Respondents, on the motion for an injunction in this cause to remove the obstruction of the navigation of the Ohio river, as charged in the original amended and supplemental bills of the Complainant, by means of the erection of the suspension bridge in said bills mentioned; and which said obstruction is denied in the answers put in thereto by the Respondents, and on due deliberation being had thereon, and upon the pleadings and the proofs before us, it is ordered that the cause be referred to the Hon. R. Hyde Walworth, late Chancellor of the State of New York.

as a Commissioner of the Court hereby appointed to take such further proofs in the cause, as the counsel for the respective parties may see fit to produce before him, at such time or times, and at such place or places as he may appoint on the application of the counsel of either party, due notice being given of the time and place of the taking of the said proofs.-

1. Upon the question whether or not the bridge aforesaid, mentioned in the pleadings aforesaid, is, or is not, an obstruction of the free navigation of the said Ohio river at the place where it is made across the same, by vessels propelled by steam, or sails, engaged or which may be engaged in the commerce or navigation of said river: and if an obstruction, as aforesaid, shall be made to appear, what change or alteration in the construction and existing condition of the said bridge, if any, can be made consistent with the continuance of the same across said river, that will remove the obstruction to the free navigation by the vessels aforesaid, engaged in the commerce and navigation of said river as aforesaid.- and

2. That the said Commissioner shall report to this Court by the first day of the next stated term thereof, upon the questions hereby referred to him, together with the proofs which shall have

been produced before him by the respective parties, and that all other questions in the said cause shall be reserved until the coming in of the said report of the Commissioner, and the further hearing of counsel upon the matters therein. And

3. That the said Commissioner shall have the power, if deemed necessary by him in the course of the hearing of the said cause, to appoint a competent Engineer whose duty it shall be to take the measurement of said bridge, its appendages and appurtenances, and localities in connexion therewith, under the direction and instructions of said Commissioner, and to make a report to him on the same, which report shall be annexed to the report of the said Commissioner to this Court.

The said Commissioner is hereby authorized to appoint a clerk to assist him in the execution of this Commission.

The compensation to be allowed to the said Commissioner for his time and services for his Clerk and Engineer that may be appointed, and all other necessary expenses by him incurred in said Commission, upon the coming in of the report of the Commissioner, will be ascertained and fixed and awarded against the parties as the Court may deem right and proper upon the principles

of equity and justice. And that the parties shall advance to the said Commissioner two hundred and fifty dollars each, before or at the time he enters upon the execution of the Commission.

The Clerk will send a certified copy of this order to the Commissioner.

Per Mr Jus: Nelson.

Dissenting. Mr Jus: Daniel.

William H. Marriott. Appellee vs Frederick W. Brune. John C. Brune and William H. Brune.	In error to the Circuit Court of the United States for the District of Maryland.

207

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

Per Mr Jus: Woodbury.

230	The United States plff in Er vs Horace Southmayd and Stephen C. Southmayd.	In error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

Per Mr. Jus: Woodbury.

107	The United States plff in Er vs John F. Reeves & James Y. Reed, survivors of James Adams.	In error to the Circuit Court of the United States for the District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed, and that this cause be and

the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo and for such further proceedings to be had therein as shall be in conformity to the opinion of this Court and as to law and justice shall appertain

Per Mr. Jus. Wayne

Benjamin H. Lambert & Lewis McKenzie. plffs.	On a certificate of division in opinion between the
113 vs.	Judges of the Circuit Court
William Thiselin	of the United States for
	the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and on the point or question on which the Judges of the said Circuit Court were opposed in opinion and which was certified to this Court for its opinion agreeably to the act of Congress in such case made and provided. and was argued by Counsel. On consideration whereof. it is the opinion of this Court that upon the facts in this case due diligence had been used by the plaintiffs. the holders of the bill. to give to the defendant. the endorser thereof. notice of the dishonor of said bill. Whereupon it is ord

here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

Pr. Mr. Ch. Jus. Taney.

290 Charles Ballance. Plff in Er
vs
Robert Forsyth Dft.

Mr. Inge of counsel for the plaintiff in error now here moved the Court to rescind the judgment of this Court, entered on a prior day of the present term, to wit on Friday the 26th of April last, docketing, and dismissing this writ of error; and for leave to file and docket the same. On consideration whereof, it is now here ordered by the Court that the judgment of this Court docketing, and dismissing this writ of error with costs, entered on a previous day of the present term, to wit on the 26th of April last, be and the same is hereby rescinded and annulled upon the payment of the costs by the plaintiff in error and upon his having his record filed and docketed in conformity to the rules of this Court.

Pr. Mr. Ch: Jus: Taney.

291 Andrew Irwin Appt
vs
William S. Parham Dft.

Mr. Howard of counsel for the appellant now here moved the Court to rescind

the decree of this Court entered on a prior day of the present term, to wit, on Friday, the 28th of December last docketing, and dismissing, this appeal, and for leave to file and docket the same. On consideration whereof it is now here ordered by the Court that the decree of this Court docketing, and dismissing, this appeal with costs, entered on a previous day of the present term to wit, on the 28th of December last, be and the same is hereby rescinded and annulled upon the payment of the costs by the appellant, and upon his having his record filed and docketed in conformity to the rules of this Court.

Jos. Mr. Ch. Jus. Taney.

William Binns fat. fff.
vs
245 Cornelius W. Lawrence

Mr. Patton of counsel for the plaintiffs moved the Court to take up this cause out of its order for argument at the next term and for leave to submit the same then on printed argument in behalf of the plaintiffs if the Counsel shall see fit. To which Mr. Attorney General Johnson consented. Whereupon it is now here ordered by the Court that the leave asked be and the same is hereby granted.

29	Vincent Jones, Treasurer &c. vs. Moses Pace &al.	Mr Douglas on behalf of the plaintiff in error moved the Court to rescind and annul the

judgment of this Court dismissing this case with costs on a previous day of the present term, to wit on Thursday the 21st day of December last. On consideration whereof it is now here ordered by this Court that said motion be and the same is hereby overruled.

114	Joshua Kennedy's Exrs. vs. Sidney E. Collins.	The argument of this cause was concluded by Mr. Attorney General Johnson for the appellants.

On motion just made to the Court in this behalf by Mr. Attorney General Johnson it is ordered that Edward Douglas Esqre of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Proclamation being made the Court is adjourned to the time and place appointed by law.

At the Capitol of the United States in the City of Washington and District of Columbia being, the session seat of the National Government of the United States on the first Monday of December (being the second day of the same month) in the year of our Lord one thousand eight hundred and fifty, and of the Independence of the United States the seventy fifth. The Supreme Court of the United States met agreeably to law.

Present

The Honorable

John McLean
James M. Wayne
John Catron
John McKinley,
Samuel Nelson
Levi Woodbury &
Robert C. Grier.

} Associate Justices

Richard Wallach Esquire Marshal
William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

The Honorable John J. Crittenden appeared and produced the following Letters Patent which were

read in open Court and ordered by the Court to be recorded on the minutes of this court. in the following words to wit:

Millard Fillmore President of the United States of America To all who shall see these presents Greeting:

Know Ye. That reposing special trust and confidence in the Patriotism Integrity and abilities of John J. Crittenden. of Kentucky. I have nominated, and by and with the advice and consent of the Senate. do appoint him to be Attorney General of the United States. and do authorize and empower him to execute and fulfil the duties of that office according to law; and to have and to hold the said office with all the powers. privileges. and emoluments thereunto of right appertaining, unto him the said John J. Crittenden. during the pleasure of the President of the United States for the time being.

In Testimony Whereof. I have caused these Letters to be made patent. and the seal of the United States to be hereunto affixed.

Seal

Given under my hand at the City of Washington this twenty third day of July in the year of our Lord one thousand eight hundred and fifty. and of

the Independence of the United States of America the seventy fifth.

Millard Fillmore

By the President,

Daniel Webster

Secretary of State.

Mr Justice McLean announced to the Bar, that the court would commence the call of the docket under the 30th rule tomorrow.

Proclamation being made, the court is adjourned until tomorrow morning, at eleven o'clock.

Tuesday December 3rd 1850.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable John McLean
James M. Wayne
John Catron
John McKinley,
Peter V Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier
} Associate Justices

Richard Wallach Esquire Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Ingram. It is ordered that S. Simon Cohen Esquire of Pennsylvania, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

1.	Hudson & Boyd plaintiffs in Er vs. Ephraim G Paxson	On a certificate of division in opinion between the judges of the Circuit Court of the United States for the southern District of Mississippi. —

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi and on the motion of Robert J Walker Esquire of counsel for the defendant to have this cause dismissed at the costs of the plaintiffs for the want of an appearance on the part of the said plaintiffs in pursuance of the 34th rule of Court & consideration whereof it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed with costs.

per M.r Justice McLean.

2.	John Glenn Adm.r &c plff in Er vs. William Mitchel. . ,	This cause having been called for argument and no counsel appearing ready to proceed with same.

It is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of court.

George W Phillips pffft vs John L Preston	This cause having been called for argument and no counsel appearing ready to proceed with the same It is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of Court..

James Sweeney pffft vs Thomas Byrne	This cause having been called for argument and no counsel appearing ready to proceed with the same It is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of court.

The United States pffft vs Henry Wells	This cause having been called for argument and no counsel appearing ready to proceed with the same It is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of Court.

6. Charles Diamond Pltff
vs.
Frederick H Emmons.

This cause having been called for argument and no counsel appearing, ready to proceed with the same. It is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of court.

7. James Snedgrass Appt
vs.
Jesse Cage et al

This cause having been called for argument and no counsel appearing, ready to proceed with the same. It is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of court.

8. Richard Wells plaintiff in Error
vs.
The people of the State of Illinois

This cause having been called for argument and no counsel appearing, ready to proceed with the same. It is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of court.

10	H. P. Bostick. assee &c. Aff't vs. Benjamin F. Fellon.	This cause having been called for argument and no counsel appearing, ready to proceed with the same. It is thereupon now here ordered by the court that this cause lie and the same is hereby postponed to the foot of the docket under the 36 rule of court.

73	Charles Barnard Jal vs. Pltff in Er Joseph Adams & al	Mr Webster of counsel for the plaintiff in error moved the court to fix some day in January next for the argument of this cause. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider. —

36	The Town of East Hartford vs. Pltff in Er. The Hartford Bridge Company, and The Town of East Hartford	Mr Baldwin of counsel for the defendant in error with the assent of Mr Tenney of counsel for the plaintiff in error moved the court to set down these causes for argument the last Monday of this instant. Whereupon this court not being, now here
136	vs. Pltff in Er. The Hartford Bridge Company,	

sufficiently advised of and concerning what order to render in the premises took time to consider. -

Simon Gratz Exor &c. Appls. vs. Samuel M. Cohen &al.	Mr S Simon Cohen Esq. counsel for the appellees having suggested the death of Rachel M Cohen one of the appellees in this cause since the last continuance of said cause and filed Letters Testamentary to the estate of the said Rachel M Cohen from the Register of Wills of the City and County of Philadelphia now here moved the court that Samuel M Cohen executor of said Rachel M Cohen be substituted as a party to this suit in the place of said Rachel M. Cohen deceased. On consideration whereof, It is now here ordered that said motion be and the same is hereby granted.

682.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'Clock. -,

Wednesday December 4 1850

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	John McKinley	Justices
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire Marshal

William Thomas Carroll Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by General Eaton It is ordered that Andrew Ewing Esquire of Kentucky be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.—

13	Peter Slaughter Appellant vs. Augustus Bonaffe Edward Bonaffe late partners under the name and firm of Bonaffe & Co. John L. Gooch and John Handy.	On appeal from the Circuit Court of the United States for the Southern district of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit court of the United States for the Southern district of Mississippi and on the motion of Robert J. Walker Esquire of counsel for the appellees to have this appeal dismissed at the costs of the appellant for the want of an appearance on the part of the said appellant in pursuance of the 54th rule of this court. On consideration whereof. It is now hereby ordered and decreed by this court. That this cause be and the same is hereby dismissed with costs.

pr. Mr Justice McLean.

14	Charles Barnard Cat. Jeffries &c. vs. Joseph Adams Cat.	On consideration of the motion made in this cause yesterday by Mr Webster. It is

now here ordered by the court that the said motion be and the same is hereby overruled. —

136	The Town of East Hartford vs. Jeff in Er The Hartford Bridge Company, and The Town of East Hartford vs. Jeff. in Er. The Hartford Bridge Company.	On consideration of the motion made in these causes yesterday, by Mr Waldron It is now here ordered by the court that said motion be and the same is hereby overruled. —
11	Mathias Bruin's Exrs Jeff in Er. vs. James & Jo. Bell Def.	This cause having been called for argument and no counsel appearing, ready to proceed with the same. It is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of court. —
12	Sherburne Sears Jeff in Er. vs. Joseph W. Eastburn.	This cause having been called for argument and no counsel appearing, ready to proceed with

same. It is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of court. —

14	Adams Davids Sat. Appls vs Samuel Warner	This cause having been called for argument and no counsel appearing ready to proceed with the same. It is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of court. —
15.	William Hocking pet. pltff in Er. vs The Farmers & Mechanics Bank.	This cause having been called for argument and no counsel appearing ready to proceed with the same. It is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of court. —
16.	William C. Woodruff. vs pltff in Er. Frederick H. Trapnall	Mr Lawrence of counsel for the plaintiff in error having stated to the court that the principles involved in this case

and No 64 were the same and that the counsel in each case were the same moved the court that they be argued at the same time. On consideration whereof it is now here ordered by the court that this cause be argued at the same time with No 64. —

17	Isaac Sandes. plff in Ei. vs Joshua M. Brant	This cause having been called for argument and no counsel appearing, ready to proceed with the same. It is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of court. —

18	Henry Webster. Woman" vs Peter Cooper	This cause having been called for argument and no counsel appearing, ready to proceed with the same. It is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of court. —

19	John Hogan surv[ivin]g part[ne]r &c. vs. Appt. William H. Pope & al.	This cause having been called for argument and no counsel appearing, ready to proceed with the same. It is therefore now here ordered by the court that this cause be and the same is hereby, dismissed at the cost of the docket under the 30th rule of court.
20	Peter Hogg & al. Defft in Er. vs. John B. Emerson.	The argument of this cause was commenced by Mr Sargent for the plaintiffs in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Thursday, December 5. 1850.

Pursuant to adjournment the court met this morning, at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	John McKinley	Justices
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the court is opened.

2. The State of Pennsylvania Comp[t] vs. The Wheeling and Belmont Bridge Company, William Ellisan and George Craft. (Bill in chancery)

Ordered that the time for taking testimony in the above cause by the Commissioner

appointed by the order entered 2d May 1811 and for making the report to this court thereon formed for be extended till the further order of the court: and that the authority to take testimony in said cause from the first day of the present term be and the same is hereby confirmed. ~

	Peter Hogg &al. Pltff. in Er. vs. John St. Omason	The argument of this cause was continued by Mr Sargent for the plaintiff in error by Mr Tillet for the defendant in error and by Mr Sargent for the plaintiff in error. ~
20.		

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock. ~

Friday December 6. 1850.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice.
	John McLean	
	James M. Wayne	
	John Catron	Associate
	John McKinley	Justices
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

Henry Webster. demandt		Mr Allen of counsel
vs.		for the defendant moved
15 Peter Cooper		the court to strike out the
		order entered in this case

the 5th instant postponing it to the foot of the docket and for leave to argue the same. Whereupon the court not being now here sufficiently advised of,

and concerning what order to make in the premises took time to consider.

31	Peter Hogg plff in Er. vs The United States	Mr Evans of counsel for the plaintiff in error having stated to the court the magnitude of the sum in controversy, and the importance of the principles involved in this case moved the court to enlarge the time allotted to counsel for argument. On consideration whereof it is now here ordered by the court that the said motion be and the same is hereby overruled.

32	Peter Hogg late pltff in Er. vs John R. Emmerson	The argument of this cause was concluded by Mr Sargent for the plaintiffs in error.

33	Peter Hogg plff in Error vs The United States.	Mr. Attorney General Crittenden moved the court to dismiss this cause for irregularity in the Bill of Exceptions which was opposed by Mr Evans and Mr Coxe of counsel for the plaintiff in

error. Whereupon this court not being, now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Proclamation being made the court is adjourned until Monday morning at Eleven O'Clock. —,

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley,	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach, Esquire Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Wharton It is ordered that William A Porter Esquire of Pennsylvania be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly;

21	Jesse Hoyt - plff in Er vs. The United States	On consideration of the motion made in this cause by Mr Attorney General on the 6th instant, and of the arguments of counsel thereupon had It is now here ordered by the court that the whole case be argued upon the bill of exceptions. —

22	John Glenn and Charles M. Thruston. plaintiffs in Error. vs. William Mitchell	In error to the Circuit court of the United States for the district of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri. And it appearing to the court here that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, it is considered by the court that this writ of error should be dismissed at the costs of the plaintiffs in error pursuant to the 50th rule of this court. Whereupon it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed with costs and that this cause be

and the same is hereby remanded to the said Circuit court to be proceeded in according to law and justice.

per Mr Chief Justice Taney

George W. Phillips pltff in Er. vs. John L Preston	In error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and it appearing to the court here that upon the suggestion of the death of the plaintiff in error by his counsel leave was granted by this court to make the representatives of the deceased parties at a prior term of this court to wit: at December term 1856 and that the proper representatives have not yet been made. It is therefore now here ordered and adjudged by this court that this writ of error be and the same is hereby abated and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chief Justice Taney.

4	James Dunnardy, pffin Er vs Thomas Lipsine.	On error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and it appearing to the court now that upon the suggestion of the death of the plaintiff in error by his counsel leave was granted by this court to make the representatives of the deceased parties at a prior term of this court to wit. at December term 1861, and that the proper representatives have not yet been made. It is therefore now here ordered and adjudged by this court that this writ of error be and the same is hereby abated, and that this cause be and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr Chief Justice Taney.

5	The United States pffs. vs Henry Wells.	On a certificate of division in opinion between the judges of the Circuit Court of the United States for the district of Michigan.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the district of Michigan and on the points and questions on which the judges of the said circuit court were opposed in opinion and which were certified to this court for its opinion agreeably to the act of Congress in such case made and provided and Mr. Alexy, General Attorney of counsel for the plaintiffs having moved this court to dismiss this cause. It is thereupon now here ordered and adjudged by this court that this cause be and the same is hereby dismissed and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Taney.

Charles Diamond Jeff. vs. Frederick H. Emmons.	6.	On a certificate of division in opinion between the judges of the circuit court of the United States for the eastern district of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the eastern district of Louisiana and on the points and questions on which the judges

of the said circuit court were opposed in opinion and which were certified to this court for its opinion agreeably to the act of Congress in such case made and provided. and whereas it appears to this court here that this is the second term at which this cause has been called for argument and that neither party is now prepared to argue the same it is considered by the court that this cause should be dismissed at the costs of the plaintiff. pursuant to the 33th rule of this court. Whereupon it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed with costs and that this cause be and the same is hereby remanded to the said circuit court to be proceeded in according to law and justice.

per Mr Chief Justice Taney.

Samuel Snodgrass Appt. vs Jesse Cage & Eli Odom.	On appeal from the circuit court of the United States for the southern district of Mississippi.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the southern district of Mississippi and it appearing to the court here that this is the

second term at which this case has been called for argument and that neither party is now prepared to argue the same. it is considered by the court that this appeal should be dismissed at the costs of the appellant pursuant to the 32 d rule of this court Whereupon it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed with costs and that this cause be and the same is hereby remanded to the said Circuit court to be proceeded in according to law and justice...

Per Mr Chief Justice Taney.

Harden P. Bostick assignee in Bankruptcy of Andrew L. Fellen.		On appeal from the district court of the United States for the middle district of Tennessee.
10.	xs. Appl.	
Benjamin F Fellen Jat.		

This cause came on to be heard on the transcript of the record from the district court of the United States for the middle district of Tennessee and it appearing to the court here that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same. it is considered by the court that this appeal should be dismissed at the costs of the

appellant. pursuant to the 14th rule of this court Whereupon it is now here ordered and decreed by this court that this cause be and the same is hereby, dismissed with costs. and that this cause be and the same is hereby remanded to the said district court to be proceeded in according to law and justice. –

Per Mr Chief Justice Taney.

Herman Bruen. Alexander M. Bruen & William Pennington, exors of Mathias Bruen, deceased. vs. Jeffs in Er. James G. & Robt. & Robert Grant.	In error to the Circuit Court of the United States for the Southern district of New York.

11

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the southern district of New York. and it appearing, to the court here that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, it is considered by the court that this writ of error should be dismissed at the cost of the plaintiffs in error pursuant to the 32 rule of, this court Whereupon it is now here ordered and adjudged by this court that this cause be and

the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

For Mr Chief Justice Taney.

	Thorburne Sears Plff in Er vs Joseph R Eastburn.	In error to the Circuit Court of the United States for the southern district of Alabama.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the southern district of Alabama and it appearing to this court here that this is the second term at which this cause has been called for argument and that neither party is now prepared to argue the same, it is considered by the court that this writ of error should be dismissed at the costs of the plaintiff in error, pursuant to the 16th rule of this court Whereupon it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the said circuit court to be proceeded in according to law and justice.

For Mr Chief Justice Taney.

Adams Daniels & Joseph P. Yates Appellants vs. 14 Samuel Warner.	On appeal from the Circuit court of the United States for the district of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit court of the United States for the district of Massachusetts. and it appearing, to the court here that this is the second term at which this cause has been called for argument and that neither party is now prepared to argue the same. it is considered by the court that this appeal should be dismissed at the costs of the appellants pursuant to the 15th rule of this court. Whereupon it is now here ordered and decreed by this court that this cause be and the same is hereby dismissed with costs. and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr Chief Justice Taney.

15.	William Hackney & Henry Dean — Plffs in Error vs. The Farmers & Mechanics Bank.	In error to the Circuit Court of the United States for the district of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit court of the United States for the district of Massachusetts and it appearing to the court here that this is the second term at which this cause has been called for argument. and that neither party is now prepared to argue the same it is considered by the court that this writ of error should be dismissed at the costs of the plaintiffs in error. pursuant to the 55th rule of this court. Whereupon it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed with costs and that this cause be and the same is hereby remanded to the said Circuit court to be proceeded in according to law and justice.

Per Mr Chief Justice Taney.

Monday, December 9th 1850. Continued.

	Thomas Henderson &al.	It is now here ordered
9	(vs.)	by the court that but
	Lessee of the State of Tennessee.	one counsel be permitted

to argue this cause for the plaintiffs in error in this court. the defendant in error being unrepresented.

	Henry Webster. Esqr.	On consideration of the
15	(vs.)	motion made in this cause
	Peter Cooper.	by Mr Allen on the 6th

instant. It is now here ordered by the court that the order made in this cause on the 6th instant by the court be and the same is hereby rescinded and that this cause be set down for argument. –

	Jesse Boyl. pff in Er.	The argument of this cause
21	(vs.)	was commenced by Mr Evans
	The United States	for the plaintiff in error and

continued by Mr Attorney General for the defendants in error. –

Proclamation being made. the court is adjourned until tomorrow morning at Eleven Oclock.

Pursuant to adjournment the court met this morning at the Capitol

Present.

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
John Catron
John McKinley
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier
Associate Justices.

Richard Wallach Esquire Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Evans. It is ordered that Samuel Laroque. Esquire. of New York. be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Webster. It is ordered that Andrew

Beardsley Esquire of New York be admitted to practice as an Attorney and counsellor of this Court and he was sworn accordingly.

21.	Jesse Hoyt plff in Er. vs. The United States	The argument of this cause was continued by Mr Attorney General for the defendants in error. and concluded by Mr Wrather for the plaintiff in error.

22	Charles Learned &al vs Jesse Hoyt Joseph Adams &al	The argument of this cause was commenced by Mr Beardsley for the plaintiffs in error.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
John Catron Special
John McKinley Justices
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Walker. It is ordered that Charles Neal Esquire of the city of Washington be admitted to practice as an attorney and counsellor of this court. and he was sworn accordingly.

On motion first made to the court in this behalf, by Mr Webster It is ordered that Robert C. Pinckney of Massachusetts be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly. —

Charles Barnard & al 23 vs Plffs in Er. Joseph Adams	The argument of this cause was continued by Mr Beardman for the plaintiffs in error.

Archibald M. Woodlee 24 vs. Appt John M. Pintard	On motion of Mr Laurence of counsel for the appellant that further time be given to make proper parties It is now here ordered by the court that this cause be and the same is hereby postponed. —

Alfred & Owens Plffs in Er 25 vs. Joseph Wissam	The argument of this cause was commenced by Mr Laurence for the plaintiffs in error continued by Mr Key for the defendant in error and concluded by Mr Crittenden for the plaintiff in error. —

26.	Jacob Rhoades [illegible]	The argument of this cause was commenced by
	vs.	Conrad Jones for the
	Christopher Graham	plaintiffs in error.

Proclamation being made the court is adjourned until tomorrow morning, at Eleven o'Clock.

Thursday, December 12 1850.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James Mc. Kayne
John Catron
John McKinley
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier
Associate Justices

Richard Wallach. Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

The State of Missouri Compt
vs
The State of Iowa.

Original Bill

and

The State of Iowa. Compt
vs
The State of Missouri

Cross Bill

The Commissioners appointed by this court to run and mark the boundary line between said states according to our decree of the December Term 1848 having performed that duty and reported to the court at this term the manner in which said work had been performed: and it appearing that the surveyors had been employed by said Commissioners to aid them in doing the work in the field, and that other assistants had been employed, and that various expenses had been incurred in running and marking said line. Now in order that the parties to said controversy may be informed of the amount of means necessary to be provided to pay for said services, and also for other costs and charges incident to the suit, it is ordered that the Clerk of this court do examine witnesses, and resort to other evidence for the purpose of ascertaining what is the proper compensation to be allowed to said Commissioners and the surveyors they employed, and also what compensation is due to the Hon. Robt W. Wells for such services as he may have performed as Commissioner before he resigned. And said Clerk will also ascertain the amount of expenses of every description incurred by said Commissioners beside the compensation to themselves and said Surveyors, together with the costs and charges

incurred in this court in carrying on the controversy here. All of which he will include in a detailed account and report the same to this court at an early day for its final action thereon.

And in taking said account the report of said commissioners will be taken as prima facie true.

Said Clerk will also ascertain and report the amount of moneys already advanced to said Commissioners by the States of Missouri and Iowa respectively; and the manner in which said moneys have been expended.

Per Mr Justice Catron

16	Jacob Strader. pff in Er. vs Christopher Graham	The argument of this cause was continued by Mr Jones for the plaintiff in error. by Mr Crittenden for the defendant in error and concluded by Mr Jones for the plaintiff in error.
17	Henry Webster Rem[d] vs Peter Cooper.	The argument of this cause was commenced by Mr Baxter for the Remandant.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock. —

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier.	

Richard Wallach Esquire Marshal
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Ashmun It is ordered that Simon W. Griswold Esquire of Massachusetts be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf, by Mr Dexter It is ordered that Edward H. Davis Esquire of Maine be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

16	Henry Webster Dem[dt] vs. Peter Cooper	The argument of this cause was continued by Mr Dexter for the demandant by Mr Allen for the defendant and concluded by Mr Davis for the demandant.
17	Isaac Sandes Jun[r] & al vs. Joshua B Brant	This cause was submitted to the consideration of the court on the record and printed arguments by Mr Bradley for the plaintiff in error and by Mr Gamble for the defendant in error.

Proclamation being made the court is adjourned until Monday morning at Eleven O'Clock.

Monday December 16th 1850. 617

Pursuant to adjournment the court met this morning, at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire Marshal.

William Thomas Carroll Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Crittenden it is ordered that Henry A. Bullard Esquire of Louisiana be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Robert R Barrow vs. Jeff in Ex Nathaniel B. Hill.	In error to the Circuit court of the United States for the eastern district of Louisiana.

225

Mr Venable of counsel for the defendant in error having filed and read in open court the following certificate viz.

"United States of America
Eastern district of Louisiana.

Nathaniel B. Hill vs. No 1331 Robert R. Barrow — Circuit Court of the United States 5th Circuit and eastern district of Louisiana.

I John R Hurley, clerk of the Circuit court of the United States for the Fifth Circuit & eastern district of Louisiana do hereby certify, that on the 11th day of April 1850. the above named plaintiff did recover a final judgment at law against the above named defendant in said court in the words and figures following to wit:

Nathaniel B. Hill vs. No 1331 Robert R Barrow. — This cause having been argued and submitted to the court on a former day of this term and the court being satisfied that the law and the evidence are in favor of the plaintiff doth order adjudge and decree that the

plaintiff Nathaniel B. Hill do have and recover judgment against the defendant Robert H. Barrow for the sum of two thousand dollars with interest thereon at the rate of eight per cent per annum from the 11 day of February 1847 until paid and three dollars costs of protest and costs of suit to be taxed at ——— . Judgment rendered 11th April 1850

Signed 18th April 1850

Thos. H. McCaleb (Seal)

U. S. Judge.

And that on the 3rd day of April 1850 a writ of error was duly allowed taken and filed by said defendant to operate as a supersedeas and returnable to the December Term A.D. 1850 of the Supreme Court of the United States all which appears by the records remaining in my office.

Witness my hand and seal of said court at the City of New Orleans this 22nd November A.D. 1850

(Seal)

J. M. Gurley. Clerk."

and having stated that the plaintiff in error has altogether failed to file the record of said court in this case, or in any way to prosecute said writ of error. now here moved the court in pursuance of the 32nd rule of this court to have this writ of error

docketed and dismissed. On consideration whereof. It is now here ordered and adjudged by this court that this writ of error to the circuit court of the United States for the eastern district of Louisiana be and the same is hereby docketed and dismissed with costs and that this cause be and the same is hereby remanded to the said circuit court for further proceedings to be had therein in conformity to law & justice the said writ of error notwithstanding.

Per Mr Chief Justice Taney.

Isaac Vanderpoel & al vs. Joshua B. Brant	Mr Bamble of counsel for the defendant in error moved the court for permission to argue this cause orally at the bar. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Isaac Shelby Exrs vs John Bacon & al trustees &c.	The argument of this cause was commenced by Mr Clay for the complainants continued by Mr Porter and Wharton for the defendants and concluded by Mr Clay for the complainants.

98.	Charles F Cayler & al vs. Jeffs in Er Benjamin F. Wilder	The argument of this cause was commenced by Mr Cuyler for the plaintiffs in Er

Proclamation being made the court is adjourned until tomorrow morning at Eleven Oclock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	Associate Justices
	James M. Wayne	
	John Catron	
	John McKinley	
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Lawrence. It is ordered that J. J. Loomis Esquire of Ohio be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.—

17. Isaac Sandes. pltff in er
vs.
Joshua Vs. Brant

On consideration of the motion made in this cause yesterday by Mr Gamble. It is now here ordered by the court that this cause be set down for oral argument at the Bar immediately succeeding the argument of N.Y.

28. Charles J. Gayler pltff in Er
vs.
Benjamin L. Wilder

The argument of this cause was continued by Mr Gayler for the plaintiff in error, by Messrs Staples and Webster for the defendant in error, and concluded by Mr Gayler for the plaintiff in error.

29 Sylvester D Preston Exl
vs. pltff in Er
Charles Bracken

This cause was submitted to the consideration of the court on the record and printed briefs. by Mr May for the plaintiffs in error and Mr Wallace for the defendant in error.

30. John McNully pltff in Er.
vs.
John Bally Exl.

This cause was submitted to the consideration of the court on the record and printed briefs

by Mr May, for the plaintiff in error & Mr Carlisle for the defendants in error.

Granville H. Oldfield pltff in er. 31 vs William H. Harriott	The argument of this cause was commenced by Mr Bell for the plaintiff in error and continued by Mr Crittenden Attorney General for the defendant in error.

Proclamation being made the court is adjourned until tomorrow morning, at Eleven O'Clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief justice
John McLean
James Mc. Wayne
John Catron
John McKinley Associate
Peter V Daniel justices
Samuel Nelson
Levi Woodbury
Robert C. Grier.

Richard Wallach, Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Carr It is ordered that John W. Calder Esquire of New York be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Mayer It is ordered that John H. Ewing Esquire of Maryland be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Lord It is ordered that Edward A. Richeson Esquire of New Jersey be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly,

On motion first made to the court in this behalf by Mr Ewing, It is ordered, that John Ferguson Esquire of Ohio be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly,

Peter Hogg & Cornelius H. Delamater plffs in Er. (vs) John J. Emerson.	Do.	In error to the Circuit Court of the United States for the southern district of New York.

This cause came on to be heard on the transcript of the record from the Circuit

court of the United States for the southern district of New York and was argued by counsel On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

Pr. Mr Justice Woodbury, — Dissenting, Mr Chief Justice Taney Messrs Justices Catron, Daniel & Grier.

The Philadelphia Wilmington & Baltimore Railroad Company. Pl. ff in Er. vs. The State of Maryland

33

Mr Meredith moved the court in behalf of Mr Johnson who is absent and of counsel for the plaintiff, in error to postpone this cause for the present On consideration whereof it is now here ordered by the court that said motion be and the same is hereby overruled and that Mr Johnson have leave to file a printed argument.

31.	Granville H. Oldfield vs. Pltff in Er. William H. Merriott.	The argument of this cause was concluded by Mr. Stewart for the plaintiff in error.
32.	James Thompson - Pltff in Er. vs. The Baltimore & Susquehanna Railroad Company.	The argument of this cause was commenced by Mr. Mayer for the plaintiff in error. —

Proclamation being made the court is adjourned until tomorrow morning, at Eleven O'Clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley,	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf, by Mr Taney. It is ordered that Charles Chapman Esquire, of Connecticut be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Thursday, December 19 1850 continued.

32.	James Simpson Plff in Er. vs. The Wilmington & Susquehanna Railroad Company,	The argument of this cause was continued by Mr Campbell for the defendant in error and concluded by Mr Meagher for the plaintiff in error.
33.	The Philadelphia Wilmington & Baltimore Railroad Company, vs. Plff in Er. The State of Maryland.	This cause was argued by Mr Meredith for the defendant in error.
34.	José Argote Villalobos Pal. vs. Appts The United States.	The argument of this cause was commenced by Mr Yulee for the Appellants. —

Proclamation being made the court is adjourned until tomorrow morning, at Eleven O'Clock.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
John Catron
John McKinley, Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier.

Richard Wallach Esquire Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Coward. It is ordered that Henry E. Davies, Meyer C. Wilder and Livingston K. Miller, Esquires, of New York, be admitted to practice as Attorneys and counsellors of this court, and they were severally sworn accordingly.—

On motion first made to the court in this behalf by Mr Chapman It is ordered that Francis Parsons Esquire of Connecticut be admitted to practice as an Attorney and Counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Ewing, It is ordered that Nathan Evans Esquire of Ohio be admitted to practice as an Attorney and Counsellor of this court and he was sworn accordingly.

225 Robert R. Barrow as pff in Er vs Nathaniel B. Hill.

Mr Downs of counsel for the plaintiff in error having stated to the court that his client had forwarded the record in this case to the clerk last September and that he had been requested by him to attend to the case but that he did not reach here until the case had been docketed and dismissed now here moved the court to annul and rescind the order made by this court in this case on a former day of the present term of this court to wit on Monday the 16 instant, docketing and dismissing this writ of error with costs, and for leave to have the record filed and the

case docketed upon the payment of the costs by the plaintiff in error, and in pursuance of the rules of this court. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The second Municipality of the City of New Orleans vs. } pff in Er William J. Mercer.	Mr Bullard of counsel for the plaintiff in error having filed and read in open court the following suggestion of diminution of

936.

the record in this cause viz:

"The counsel for the plaintiff in error in this case moves the court for a certiorari or other appropriate order to the clerk of the circuit court of the United States for the eastern district of Louisiana directing him to amend the record by sending up therewith copies of all documents, deeds and conveyances which were offered or read in evidence without objection on the trial in the circuit court and which are now on file in his office.-

H. A. Bullard for pff in Er.

Henry A. Bullard of counsel for the plaintiff in error maketh oath that on the trial of the

above case in the court below according to the usage in the courts of Louisiana various conveyances and documents were read in evidence without objection or bill of exceptions. That they were marked by the clerk as given in evidence on the trial and upon them after argument the court pronounced its judgment upon the mixed questions of law and fact arising, on said documentary evidence consisting of the title deeds on which the plaintiff relied as referred to in this petition and various deeds given in evidence by the defendants now plaintiffs in error particularly, a notarial instrument purporting to be a dedication to public use of a considerable extent of alluvion in front of the city, of which the locus in quo formed a part, signed Edward Livingston and others dated September 20th 1820 That when this affiant applied for the transcript to be filed in this court the clerk refused to furnish copies of said documents as part of the record on the ground that it was an action at law and the said documents were not annexed to any bill of exceptions and were no part of the record.

H. A. Bullard.

Sworn to in open court.

Wm Thos Carroll. C. C. C. U. S.,

now here moved the court for a writ of certiorari to the judges of the circuit court of the United States for the eastern district of Pennsylvania commanding them that searching the records and proceedings of the said court in this cause they cause all errors and omissions which may be found therein to be certified to this court Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises doth time to consider.

12.	Sherburne Sears. plff in Er vs. Joseph R Eastburn	Ordered that the case of Sherburne Sears. plaintiff in error vs Joseph R. Eastburn. dismissed at the present term under the 33d rule be reinstated on the docket: the counsel for the plaintiff in error having filed a printed argument and no counsel having at any time appeared for the defendant in this court. This case is reinstated because the counsel when he filed his argument may not have been aware of the 33th rule, as this is the first term to which it applies. But the reinstatement of this case will not furnish a precedent for a like indulgence at any future term.

for Mr Ch. Jus. Thompson

	Thatburne Isaac Pfeiffer	In error to the circuit
12	vs	court of the United States
	Joseph W Eastburn.	for the Southern District
		of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and was argued by counsel On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said circuit court with directions for further proceedings to be had therein in conformity to the opinion of this court and as to law and justice shall appertain.

Per Mr Chief Justice Taney.

	Jefred C Downs	In error to the circuit
25	vs	court of the United States
	Joseph Nissam	for the Southern district of
		Mississippi.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the Southern district of

Mississippi and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said circuit court with directions to award a venire facias de novo.

Pr. Mr. Justice McLean.

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41. Hall Nelson (U. S. use) pff in Er. vs. Wilson Sager.

Mr Bradley of counsel for the defendant in error having suggested to the court here that the defendant in error in this cause had departed this life since the last continuance of this cause in this court, now here moved the court for leave to make the proper parties to the record and to enter the appearance of the representatives without prejudice. On consideration whereof it is ordered by the court that leave be and the same is hereby granted to file and enter the appearance of the proper representatives as parties to this cause without prejudice.

Friday, December 7th 1860. continued.

54	Jose Argote Peralobos vs. The United States.	Appt

The argument of this cause was continued by Mr Yulee for the appellant, by Mr Attorney General Brittenden for the appellees, and concluded by Mr Berrien for the appellant.

Proclamation being made the Court is adjourned until Monday morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice.
	John McLean	
	James M. Wayne	
	John Catron	Associate
	John McKinley	Justices
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury.	

Richard Wallach Esquire Marshal

William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Bullard It is ordered that F. H. Marr Esquire of Louisiana be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Henry Webster Jeffries		On a certificate of division
11	vs.	in opinion between the
Peter Cooper.		judges of the Circuit Court

of the United States for the District of Maine.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the district of Maine and on the points and questions on which the judges of the said circuit court were opposed in opinion and which were certified to this court for its opinion agreeably to the act of Congress in such case made and provided and was argued by counsel. And it appearing to this court upon an inspection of the said transcript that no point in the case within the meaning of the act of Congress has been certified to this court. It is thereupon now here ordered and adjudged by this court that this cause be and the same is hereby dismissed and that this cause be and the same is hereby remanded to the said circuit court to be proceeded in according to law.

Per Mr Chief Justice Taney.

225 Robert R. Barrow vs Jeff in Er Nathaniel B. Hill	On consideration of the motion made by Mr Evans of counsel for the plaintiff in error on Friday last to recall the judgment of this court entered on a prior day of this term, & set on Monday the 16th instant, docketing, and dismissing this writ of error with costs and for leave to file the record and docket the case. It is now hereordered by the court that the judgment of this court docketing and dismissing this writ of error with costs entered on a previous day of this term, & set the 16th instant, be and the same is hereby recalled & annulled upon the payment of the costs by the plaintiff in error and upon his having the record filed and the case docketed in conformity to the rules of this court. (per Mr Chief Justice Taney)
226. The Second Municipality of the City of New Orleans vs Jeff in Er. William J. Miner	On consideration of the suggestion of a diminution of the record filed in this case and of the motion of Mr Bullard of counsel for the plaintiff in error made on a prior day of the present term, & set on Friday,

the 3rd instant for a writ of certiorari to be directed to the Judges of the circuit court of the United States for the eastern district of Louisiana commanding them to amend the record by sending up therewith "Copies of all documents, deeds and conveyances which were offered and read in evidence without objection on the trial in the Circuit court, and which are now on file in the said court." It is now here ordered and adjudged by this court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the judges of the circuit court of the United States for the eastern district of Louisiana commanding them to certify, under the seal of the said Circuit court whatever omissions and errors shall be found in this case and return the same with said writ of certiorari forthwith to this court. —

Per Mr Chief Justice Taney.

Thomas Henderson &al. Plffs in Er. vs. The Treas. of the State of Tennessee.	The argument of this cause was commenced by Mr Reid for the plaintiffs in error: continued by Messrs A. Ewing, and Hunter for the defendant in error: and concluded by Mr Crabb for the plaintiffs in error.

Proclamation being made the court is adjourned until tomorrow morning, at Eleven O'Clock.

Thursday, December 24th 1840.

Pursuant to adjournment the court met this morning, at the Capitol.

Present.

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	John McKinley,	Justices
	Peter V. Daniel	
	Samuel Nelson &	
	Levi Woodbury	

Richard Wallach, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Hamlin It is ordered that Moses Norris, Esquire of New Hampshire be admitted to practice as an attorney, and counsellor of this court and he was sworn accordingly.

	Isaac Landes pff in Er vs Joshua B Brant	The argument of this cause was commenced by Mr Bradley for the plaintiff in error. continued by Mr Hamble for the defendant in error. and concluded by Mr Bradley for the plaintiff in error.

Proclamation being made the court is adjourned until Thursday morning at Eleven O'Clock.

Thursday December 26 1850.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean.	
	James Mc. Wayne	Associate Justices
	John Catron	
	John McKinley,	
	Samuel Nelson	
	Levi Woodbury &	
	Robert C. Grier.	

Richard Wallach Esquire Marshal.

William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

James E. Wilson. Appt vs. George A Sandford Appl.	This cause was argued by Mr Seward for the appellant.
Philip Kredy & - plff in Er vs. William Thompson Def	On motion of the Attorney General of counsel for the plaintiff in error It is now here ordered by

35.

228

It is ordered by the court that this cause be set down for argument on the second Monday of January next.

	The Town of East Hartford	The argument of these causes was commenced by Mr Chapman for the plaintiff in error and continued by Mr Parsons for the defendant in error.
36.	vs.)	pdff in Er.
	The Hartford Bridge Company	
	and	
	The Town of East Hartford	
136.	vs.)	pdff in Er
	The Hartford Bridge Company	

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Friday, December 27 1850.

Pursuant to adjournment the court met this morning, at the Capitol.

Present.

The Honorable	Roger B Taney,	Chief Justice.
	John McLean	
	James Mc. Wayne	
	John Catron	Associate
	John McKinley,	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier.	

Richard Wallach Esquire. Marshal.

William Thomas Carroll Clerk.

Proclamation being made the court is opened.

William R. Hallett and Robert J. Walker exr's of Joshua Kennedy deceased. John C. Achin and Clarissa his wife. John H. Hastie and his wife Cecilia Augustus R. Mastin and his wife Mary. Augusta Kennedy. Joshua Kennedy, James Conneraty. Samuel Kitchen. William Kitchen. James Campbell. and the Branch Bank of the State of Alabama at Mobile. Appellants

92

vs.)

Sidney C. Collins.

On appeal from the circuit court of the United States for the southern district of Alabama.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the southern district of Alabama, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said circuit court in this cause be and the same is hereby affirmed with costs, and with this addition, that the master in taking the account of costs foreign sales he shall allow to the defendants the sum paid to James Sweeney for his claim against the estate of Joseph Collins, and that this cause be and the same is hereby remanded to the said circuit court to be proceeded with in conformity to the opinion of this court.

Per Mr Justice Grier.

56.	The Town of East Hartford vs. Jeff in Er The Hartford Bridge Company, —and—	The argument of these causes was continued by Messrs Parsons and Baldwin for the defendant in error and concluded by Mr Toucey, for the plaintiff in error.
136.	The Town of East Hartford vs.) Plff in Er The Hartford Bridge Company.	

Proclamation being made the court is adjourned until Monday morning, at Eleven O'Clock.

Pursuant to adjournment the court met this morning, at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach. Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

23	Charles J. Barnard Jr. vs. Jefferson & Joseph Adams & al.	This cause was submitted to the court on printed brief, and argument by Mr. Lord in behalf of the defendants in error.

Monday, December 30 1850 continued.

37	James G. Palmer plff in Er. (vs.) George Poindexter	The argument of this cause was commenced by Mr Badger for the plaintiff in error continued by Messrs Key and Mullenden for the defendant in error and concluded by Mr Badger for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven Oclock.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Levi Woodbury,
Robert C. Grier.
Associate Justices

Richard Wallach Esquire Marshal
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

Jesse Hoyt Jeffries & Co. vs. The United States	In error to the circuit court of the United States for the southern district of New York.

51

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the southern district of New York and was argued by counsel On consideration

whereof it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby affirmed with damages at the rate of six per centum per annum.

Jor. Mr Justice Nelson.

James Thompson pltff in Er. vs. The Baltimore & Susquehanna Railroad Company.	32.	In error to the circuit court of the United States for the district of Maryland.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the district of Maryland and was argued by counsel On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby affirmed with costs.

Jor. Mr Justice Daniel.

Isaac Thelby Complainant (vs.) John Bacon Alexander Symington, Richard H. Bayard, James L Newbold, Herman Cope, Thomas L Taylor & George Beach.	On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the eastern district of Pennsylvania and on the points and questions on which the judges of the said circuit court were opposed in opinion and which were certified to this court for its opinion agreeably to the act of Congress in such case made and provided and was argued by counsel On consideration whereof it is the opinion of this court.

1st. That the facts stated in the amended plea to the amended bill filed by John Bacon, Alexander Symington and Thomas Robins do not deprive the said circuit court of jurisdiction of this case.

2nd. That the facts stated in the plea to the amended bill filed by the defendants James Robertson, Richard H. Bayard, James L. Newbold, Herman Cope and Thomas L. Taylor do not

deprive the said circuit court of jurisdiction of this case. and that this opinion renders it unnecessary for this court to answer the remainder of the questions certified. Whereupon it is now here ordered and adjudged by this court that it be so certified to the said circuit court.

Per. Mr Justice McLean

Charles B Schureck. claimant of the Steamboat Bulletin. her tackle. apparel & furniture (vs) Appt. William W. Tunstall.	On appeal from the circuit court of the United States for the district of Louisiana.

38.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the district of Louisiana. and on the motion of Mr Stanton of counsel for the appellant. stating that the matters in controversy, had been agreed and settled between the parties. It is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed with costs.

Per. Mr Chief Justice Taney.

39	Ambrose Lecomb. Appl. vs. The United States	This cause was argued by Mr Crittenden Attorney General for the appellants.

40	The United States Appls. vs. Louis Boisdore's heirs	The argument of this cause was commenced by Mr Crittenden Attorney General for the appellants.

Proclamation being made the court is adjourned until Thursday morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice.
	John McLean	Associate Justices
	James Mo. Wayne	
	John Catron	
	John McKinley	
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury &	
	Robert C. Grier.	

Richard Wallach. Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

60	The United States...Appts. vs. Louis Berdeir's heirs	The argument of this cause was continued by Mr. C. E. Howard for the appellees and concluded by Mr. Crittenden. Attorney General for the appellants.

41	Hall, Wilson (U.S.) vs. Pfff in Er. Wilson Lagow.	It is now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket.

42.	The Washington Alexandria & Georgetown Steampacket Company, vs. Pfff in Er. Frederick C. Sickles et al.	The argument of this cause was commenced by Mr Lawrence for the plaintiff in error.

Proclamation being made the court is adjourned until tomorrow morning at 10 o'clock.

Friday, January 3. 1851.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James Mc. Wayne	
	John Catron	
	John McKinley,	Associate
	Peter V. Daniel	Justices
	Samuel Nelson.	
	Levi Woodbury	
	Robert C. Grier.	

Richard Wallach, Esquire. Marshal

William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

The State of Missouri
vs.
The State of Iowa

Original Bill

and

The State of Iowa
vs.
The State of Missouri

Cross Bill.

And now on this third day of

January A.D. 1851 this cause came on for further order and decree thereon when it appeared to the court that at the December term 1848 thereof Henry D. Henderschott and Joseph C. Brown were appointed commissioners to run and mark the line in controversy between the State of Missouri and Iowa; and the said Brown having died the Honorable Robert M. Wells was appointed in room and stead of said Brown by the Chief Justice of this court in vacation. And said Wells having resigned his appointment William G. Minor was appointed commissioner in room and stead of said Wells by this court at its last December term of 1849. and at which term the time for running, and marking said line was extended to this present term of December 1850. for the reasons stated in the report of said Wells and Henderschott made to the last term, and which is hereinafter embodied. And the present commissioners Henry D. Henderschott and William G. Minor have made their report in the premises to this term. and which report is as follows.

"To the Honorable the Supreme Court of the United States.

"The undersigned appointed commissioners

by this honorable court in the above cases to establish the boundary line between the aforesaid states, respectfully report, that for the purpose of, arranging, the operations on the field so as to combine economy with speed we met in the City of St Louis in March last and there, after consulting, experienced surveyors as to the time that might be consumed in running the line - the probable amount of expense to be incurred - the necessary force to be employed and the proper outfit. we determined a plan of operations and agreed to meet at the supposed site of Sullivans "North west corner" between the 1st and 20th of April last. While in St Louis we obtained from Major M L Clark surveyor general of, the States of Missouri and Illinois a copy of the field notes of the survey, made by John L Sullivan in the year 1816 of a line beginning, on the east bank of the Missouri river opposite the middle of the mouth of the Kansas river and extending, north one hundred miles where he made a corner, and also of the line run by him in an easterly, course to the Des Moines river.

We were also furnished by Major Clark with several charts diagrams and copies of surveys which had at various times been made of portions of Sullivans line,

and which were of much service in the prosecution of the work.

The surveyors severally appointed by us were William Vesey Esquire of Iowa and Robert Wather Esquire of Mepeare. With these gentlemen had been connected with the public works of their respective states and enjoy a high professional reputation.

According to our agreement we left our respective homes on the 16th of April last and soon after reaching the point of meeting, in view of the increased prices of transportation, provisions &c. caused by the immense emigration through southern Iowa and northern Mepeare to California, we altered our plan of work and reduced our forces.

No precise trace of the "old north west corner" remained. The witness trees to it were on the margin of a vast prairie, and had apparently been destroyed by five years ago. Consequently its exact position could not be ascertained. yet from the running of many experimental lines, diligently examining the evidences before us, together with the reports of the surveyors we became satisfied of its proper position and accordingly established it.

The latitude taken resulted as follows:

40° 34' 40" N.

At the corner stone so determined we planted a large solid cast iron pillar, weighing, between fifteen and sixteen hundred pounds, four feet six inches long, squaring, twelve inches at its base and eight inches at its top. This pillar was deeply and legibly marked with the words (strongly cast into the iron) "Missouri" on its south side. "Iowa" on its north side, and "State Line" on the east.

From the monument so planted at the "north west corner" aforesaid on the said latitude, the survey of the line was commenced, running due west on said parallel of latitude to the Missouri river, as directed by this honorable court, and at its terminus as near the bank of said Missouri river as the friendable nature of the soil would admit, we planted a monument similar in figure, weight, dimension and inscription to the one planted at the "north west corner", the words "State Line" facing the east.

Unexpected delays, arising, from a condition of the weather which prevented the surveyors from making reliable astronomical observations, together with the fact that to a great extent in the vicinity of said line there were no roads, and the

settlements distant and sparse, compelling us to open a track for the transportation of the movements and baggage of the corps and also to construct necessary bridges and grade fords, greatly retarded our work.

Returning to the "north west corner" the survey of the line was commenced extending eastwardly from said "corner" to the Des Moines river, as run and marked by said Sullivan in 1816 from said corner to said river. On this line by close examination we discovered abundant blazes and many witness trees which enabled us to find and remark the said line as directed by this honorable court.

The survey of this portion of the line - more than one hundred and fifty miles in length - was commenced on the 13th day of August and finished on the 18th September.

Near the bank of the Des Moines river where the line terminated we planted a cast iron pillar similar in weight figure dimensions and inscriptions to those planted at the "N W corner" and near the bank of the Mississippi river, the words "Main Line" facing the west.

Solid pillars of cast iron weighing each between three and four hundred pounds respectively,

described as to figure and inscriptions in the report heretofore made to this honorable court by Major Wells and Henderschott, commissioners, we caused to be planted at every ten miles in the due west line extending from said "S.W. corner" to the Nefsouri river, and also at every ten miles in the line extending east from the "S.W. corner" aforesaid to the Des Moines river.

No iron monument was planted at mile 130 in the line running east, because between it and the point where the large one is planted on the bank of the Des Moines river there existed but a small fraction of ten miles, being, only fifty one chains.

For a fuller account of the said survey we respectfully refer to the report of the surveyors made to us marked A, and to the following exhibits herewith transmitted. Field notes of said survey, accompanied by a map of the line, marked B. Tabular statement of the costs and charges incurred in said survey, (marked) C.

All of which is most respectfully submitted.

Henry D. Henderschott
Comr for Iowa.
W. G. Minor Comr Mo."

And the report of the surveyors employed by the Commissioners and above referred to as part of said commissioners report is in the words and figures following;

Keokuk. September 30th 1850.

Messrs Hendershott and Minor

Commissioners of the Boundary Survey

Gentlemen.

Having been appointed by you on the part of the States of Iowa and Missouri severally. to locate and survey the boundary between those States under the decree of the Supreme Court of the U.S. we met according to your appointments on the 8th of April last. near the supposed site of the old N.W. corner. for the purpose of commencing operations in the field.

We proceeded to search for the old corner which was to be the basis of our future operations. Having a certified copy of Sullivan's field notes. from the Surveyor Generals Office at St Louis. we knew that the corner had been originally located in timber and designated by two witness Trees. Aided by a view of the topography of the locality, as indicated in the notes, and especially by the

manner in which Sullivan's north line crosses the Platte river near its terminus, we were able to determine the locality of the corner approximately; and an inspection of the ground satisfied us that every evidence of its exact position had long since disappeared. Time and the fires that annually spread over the prairies had destroyed the witness trees and every trace of both lines near the corner.

This point, known familiarly as the "old A.W. corner" was the termination of the line surveyed by Sullivan in 1816 from the mouth of the Kansas river north 100 miles, and was the point at which he turned east in running to the Des Moines river, his miles being numbered north from the Kansas, and east beginning again at the corner.

Having no direct evidence of the exact site of the required point, it became necessary to find determinate points on the two lines as near the corner as possible. Prolonging the lines severally from such points their intersection would be the point to be assumed as the corner, and if Sullivan's measurement were correct, would be the precise spot where he established it.

Near the supposed locality of the 99th mile corner on the north line, we found a decayed tree and a

stumps, which correspond in course, distance and description with the witness trees to that corner, and cutting into the tree we saw what we supposed to be the remains of an old blaze, upon which was preserved a part, apparently, of the letter M. This supposition was verified by measuring south two miles to a point, which we found to be Sullivan's 9th mile corner, from one witness tree which was perfectly sound. The marks upon it two or three inches beneath the bark, were plain and legible.

On the east line we found the witness tree to the 3d mile corner. The wood upon which the marks had been inscribed was decayed, but their reversed impression appeared upon the new growth which covered the old blaze, and which was cut out in a solid block.

Prolonging the lines three miles east from the points thus determined, their intersection was assumed as the required corner, and at that point was planted the monument specified in the decree. By measurement made from the surveyed lines, we found the corner to be in the N. E. quarter of, section 35. Township 67 north, Range 33 west. Its exact position with reference to those lines can be seen in the diagram in the field notes.

The latitude of the corner, determined by a series of observations taken on the ground, we found it to be 40° 34' 40" north. While employed upon these observations, we were delayed by unfavorable weather, and it was not till the 24th of May, that we were in readiness to commence the survey, of the west line from the corner to the Missouri river.

This portion of the boundary, being required to be a parallel of latitude, was run with Burt's Solar Compass, the use of which requires the longitude of the place of observation to be at least approximately known. Not having the requisite means of ascertaining the longitude of the corner, we calculated it from maps to be about 94° 30' west from Greenwich, which was sufficiently accurate for the purpose. The instrument used being an untried one, some delay was experienced in its adjustment. To ensure accuracy in the work, a telescope was attached to it.

The principles upon which this line was run involve a mathematical investigation, which will be found in note A accompanying this report, but the mode of running it will be briefly described here. Each successive mile was prolonged in the plane of the prime vertical passing through its beginning. The direction indicated by the instrument stationed

at the beginning, of a mile is in the plane of the prime vertical passing through that point and that direction was continued through the mile by means of fore and back sights. At the end of the mile an offset north was made to compensate for the sphericity of the earth. This offset it will be seen by the note is 6.785 inches per one mile. The instrument being moved at the end of the miles, the proper distance north, and a new direction given and continued as before. The parallel passing through the initial point was continued throughout the line. In some instances however, it became convenient, whenever the nature of the ground admitted of it, instead of offsetting, to continue the same direction through several miles. It will be seen by the note, that the offsets increase as the squares of the distances, being for one mile 6.785 inches, for two miles four times that distance &c.

Thus it appears that the offsets rapidly increase with the distance west, and that by continuing the direction of the prime vertical from the corner to the terminus the southing would have been over 2000 feet.

At the western terminus of the line the

observations for latitude were repeated. Having, established that point we returned to the N. W. corner and commenced retracing, Sullivans east lines on the 13th of August.

It is thirty four years since this line was run and every vestige of the mounds and pits established in the prairie has disappeared. Much of the country through which it passes consists of brushy, barrens or high rolling, prairies dotted with detached groves, or covered with a thin growth of dwarf timber. Much of this description of timber has been destroyed by fire forming, in some instances prairie, and in others brushy barrens destitute of trees, while in some places an entirely new growth of young timber, principally, hickory, has sprung up. In all such cases the witness trees and other marks mentioned in Sullivans field notes were gone, and thus it occurred that we frequently were several miles without finding any traces of the line. But in heavy bodies of timber no difficulty was experienced in discovering evidences of the precise location of the line, not only by blazes, but by line and witness trees many of which are sound and the marks in good preservation. The general topography of the country and especially the croppings of the streams greatly

facilitated us in following the line, and in some instances, when confirmed by the old blazes enabled us to establish it with sufficient certainty. In the absence of any traces of the line between two known points, distant from each other more than one mile, we assumed the line to be straight between such points and established our posts accordingly. This was done by running a random line from the last found corner, in a direction as near that pursued by Sullivan as we could determine, until another point was found, and then correcting back. No notice however is taken of these random lines in the field notes, which relate to the true line only.

We seem satisfied ourselves that the line run by Sullivan was not only not a due east line but that it was not straight. That more or less northing should have been made in the old lines was to have been expected from the fact that Sullivan ran the whole line with one variation of the needle, and that variation too great. This would account for the fact that the northing increased as he progressed east. But there are great irregularities in the course of the line, for which it is difficult to find a cause. Sudden deviations, amounting to from one to three degrees frequently occur, and it

rarely happens that any two consecutive miles pursue the same direction

A resurvey of the line between the 91st and 134th miles was made in the year 1845. and we found the witness trees on that part of the line defaced and others substituted. We succeeded however in identifying Sullivan's trees and we destroyed the marks of that survey as far as they related to the old line. In all instances where a corner on Sullivans line is mentioned in our field notes, one or both witness trees were found to identify it and we did not always think it necessary to repeat the fact in the notes.

Accompanying this report are the field notes and map of the boundary the former of which are sufficiently explained in the note prefixed to them.

On the west line the monuments every ten miles were deemed sufficient. On the east line mile posts are established marked and witnessed as described in the field notes.

It will be perceived that the measurement of this line as run by us exceeds that of Sullivan by 11.50 chains, and that this increase although gradual is not regular. Some portions of the old line agree very nearly with our measurements while others differ materially, and the greatest gain is

generally made in brushy and broken land.

For the convenience of estimating distances and that the true length of the line might be indicated by the mile posts, they were established by our measurement taking care in every instance to note the distance of the posts set by us from the corresponding corners in the old line whenever found. The different courses being extended from one known point to another, the line was not altered at these points, being made to pass through them, but only its length corrected.

The length of the entire line is 211 miles and 33 $\frac{50}{100}$ chains embracing 4° 17′ 7″ 5 of longitude. The length of a second of longitude is calculated in note E and the longitude of any point of the line being known, that of any other point can be deduced.

The map is drafted from the field notes on a scale of half an inch to the mile, and is only intended to represent the general features in the topography of the line. The scale upon which it is made is much too small to show the angles in the east line, to do which would require it to be extended to a length that would render it inconvenient. All the purposes for which it can

to wards, will be attained by the foregoing form.

Wm Lewry

Surveyor on the part of Java.

R. Walker

Surveyor on the part of Melbourne.

Note A.

Put a = semi-equatorial axis of the earth

c = semi-polar axis.

x = abscissa
y = Ordinate } to a point S on the terrestrial meridian

e = Excentricity

l = latitude of S.

r = radius of curvature at S.

When considering, the centre as the origin of the co-ordinates. we have

$$y^2 = \frac{c^2(a^2 - x^2)}{a^2}$$

and differentiating.

$$dy = -\frac{c^2 x\, dx}{a^2 y}$$

whence

$$dx^2 + dy^2 = \frac{(a^2y^2 + c^2x^2)dx^2}{a^2y^2} \quad \ldots\ldots (1)$$

Differentiating again. we find

$$d^2y = -\frac{(a^2c^2y^2 + c^2x^2)dx^2}{a^4y^3} \quad \ldots\ldots (2)$$

Substitute these values (1 & 2) in the general equation $r = -\frac{(dx^2+dy^2)^{\frac{3}{2}}}{dx\, d^2y}$ and we have

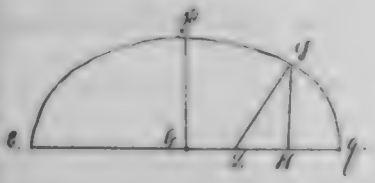
$$r = -\frac{\left(\left(a^4y^2 + c^2x^2\right)dx^2\right)^{\frac{3}{2}}}{a^4y^2} \times -\frac{a^4b^4}{\left(b^2x^2 + a^2y^2\right)dx^3} = \frac{\left[a^4\left(a^2b^2 - b^2x^2\right) + x^2\left(a^2 - c^2\right)^2\right]^{\frac{3}{2}} a^4y^3\,dx^3}{a^4y^3\left(a^2c^2 - c^2\frac{\left(a^2-x^2\right)}{a^2} + c^4x^2\right)dx^3}$$

$$= \frac{\left(a^2c^2 - a^2c^2x^2 + \left(a^2 - c^2\right)^2x^2\right)^{\frac{3}{2}}}{a^4c^4} = \frac{\left(a^6 - a^4c^2 - a^4x^2 + a^2c^2x^2 + a^4x^2 - 2a^2c^2x^2 + c^4x^2\right)^{\frac{3}{2}}}{a^4c^4}$$

$$= \frac{\left(a^6 - a^4c^2 - a^4x^2 + c^2x^2 + c^4x^2\right)^{\frac{3}{2}}}{a^4c^4} = \frac{\left[\left(a^2 - c^2\right)\left(a^2 - x^2\right)\right]^{\frac{3}{2}}}{a^4c^4} = \frac{\left[\left(a^2 - c^2x^2\right)a^2\right]^{\frac{3}{2}}}{a^4c^4} = \frac{\left(a^2 - c^2x^2\right)^{\frac{3}{2}}}{a^4c^4}\,c^3$$

and finally, $$r = \frac{\left(a^2 - c^2x^2\right)^{\frac{3}{2}}}{a^4c} \quad \ldots\ldots\ldots\ldots \quad (3)$$

The foregoing equation (3) is the proper expression for the radius of curvature when the value of x is known. but as in the present case the value of this quantity is unascertained, it will be better to deduce an equivalent expression involving only quantities which must from the nature of the question necessarily be known.



Let CQ represent the equatorial axes of the earth; CP the semi polar axis, P the pole, L a point on the terrestrial meridian at which the radius of curvature is required, and whose latitude $\angle LCN$ is known then retaining the notation hitherto adopted CQ = a, CP = c; CN = x; and LN = y. LI is normal to the meridian at L and is, consequently, a part of r the radius of curvature.

In the right angled triangle LHI LH. HI. cosl sinl and from the properties of the Ellipse $\overline{HG}^2 : \overline{GC}^2 :: CH . LH$

Whence $LH = \frac{\overline{HP}^2 \times CH}{\overline{GT}^2} = \frac{c^2 x}{a^2}$

And the first analogy becomes

$$\frac{c^2 x}{a^2} . y :: \cos l : \sin l$$

Or, since $y = \frac{c}{a}(a^2 - x^2)^{\frac{1}{2}}$.

$$\frac{c^2 x}{a^2} : \frac{c}{a}(a^2 - x^2)^{\frac{1}{2}} :: \cos l : \sin l ; -$$

whence

$$\frac{c^2 x \sin l}{a^2} = \frac{c}{a}(a^2 - x^2)^{\frac{1}{2}} \cos l, \text{ and, dividing by } \frac{c}{a}.$$

$$c x \sin l = a(a^2 - x^2)^{\frac{1}{2}} \cos l .$$ Squaring, we find

$c^2 x^2 \sin^2 l = a^2(a^2 - x^2)\cos^2 l = a^4 \cos^2 l - a^2 x^2 \cos^2 l$ Hence, since $c^2 = a^2 - e^2$,

$(a^2 - e^2) x^2 \sin^2 l = a^2 x^2 \sin^2 l - e^2 x^2 \sin^2 l . a^4 \cos^2 l - a^2 x^2 \cos^2 l$. and transposing

$a^2 x^2 \sin^2 l + a^2 x^2 \cos^2 l - e^2 x^2 \sin^2 l = a^2 x^2 (\sin^2 l + \cos^2 l) . e^2 x^2 \sin^2 l =$

(since $\sin^2 l + \cos^2 l = 1$) $a^2 x^2 - e^2 x^2 \sin^2 l = x^2(a^2 - e^2 \sin^2 l) = a^4 \cos^2 l$. whence

we deduce

$$x^2 = \frac{a^4 \cos^2 l}{a^2 - e^2 \sin^2 l} \qquad (4)$$

If now in equation (3), we substitute for x^2 its value just found, we have

$$r = \frac{\left(\frac{a^2 e^2 \cos^2 l}{a^2 - e^2 \sin^2 l}\right)^{\frac{1}{2}}}{a^2 e} = \frac{\left(a^2 \left[\frac{a^2 - e^2 \sin^2 l - e^2 \cos^2 l}{a^2 - e^2 \sin^2 l}\right]\right)^{\frac{1}{2}}}{a^2 e} = \frac{a^2 \left(\frac{a^2 - e^2}{a^2 - e^2 \sin^2 l}\right)^{\frac{1}{2}}}{a^2 e}$$

$$= \frac{a^2}{e}\left(\frac{c^2}{a^2 - e^2 \sin^2 l}\right)^{\frac{1}{2}} = \frac{a^2 c^2}{e}\left(\frac{1}{a^2 - e^2 \sin^2 l}\right)^{\frac{1}{2}}$$ whence, at last we find

$$r = \frac{a^2 c^2}{(a^2 - e^2 \sin^2 l)^{\frac{3}{2}}} \qquad (5)$$

which is a general expression for the radius of curvature at any point on the elliptic meridian.

The determination by Bessel of the equatorial and polar diameters of the earth may be regarded as more accurate than that of any other geometer. His results deduced from a consideration of the most accurately measured arcs of the meridian in various latitudes, are therefore adopted.

We have then

$$a = 20.923.396 \text{ feet}$$

$$c = 20.853.662 \text{ "}$$

Hence if we express the other quantities in terms of a we shall have after a good deal of troublesome computation

$$a \ldots\ldots = 1.0000000000$$

$$e^2 \ldots\ldots = \bar{1}.9933264669$$

$$e^4 \ldots\ldots = \bar{2}.9866529338$$

$$\sin^2 l = \sin^2 40° 36' 40'' \ldots = \bar{1}.4231238233$$

and, substituting these values in equation (5), we have

$$r = \frac{.9933264669}{(1 - 0.0066735531 \times .4231238233)^{\frac{3}{2}}} = \frac{.9933264669}{.9971762^{\frac{3}{2}}}$$

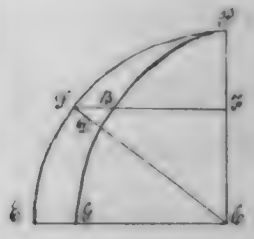
$$= \frac{.9933264669}{.9957673976} = .9975485097 \qquad (6)$$

or. resuming the foot as a unit.

$r = 20.923.596 \times .99752\,8697 - 20.872.206$ feet ..... (7)

A line traced upon the earths surface in an east or west direction, and accurately prolonged by means of fore and back sights. will always remain in the plane of the prime vertical shaping, through its beginning, and consequently. will gradually tend southward according, to a certain law. Hence in running the line from Sullivan's corner to the Missouri river. it was necessary to apply certain corrections in order to regain the parallel of latitude passing through the initial point. These corrections may be ascertained in the following, manner.

We may without sensible error, consider that part of the earths surface, on which we have been operating, as a portion of the surface of a sphere whose radius is equal to the radius of curvature. as above ascertained.



Let Eb. Pb. represent the equatorial and polar radii respectively, and Eb P. b S - L. the latitude of S. b S and F S represent. and are in the planes of the prime vertical and the circle of latitude. It is evident that these planes intersect each other at S and that the line of intersection

is tangential to the earth at that point. If then a line be traced from S at right angles to the meridian PE, it will intersect any other meridian PQ at Q. But the parallel intersects the same meridian at B. Hence QB is the required correction.

It thus appears that the planes represented by SC & SE intersecting the plane of the second meridian, will form, externally to the earth, a figure which may be represented by SCB, and the arc QB being very small, this figure may be treated as a plane triangle right angled at Q. The angle S, when projected upon the plane of the second meridian, will, of course, undergo a diminution, but when (as is the case here) the inclination of the two meridians is small, this diminution becomes almost infinitesimal in amount, and may be disregarded. If, therefore we put $u = SD$, and $v = BD$, we shall have

$$v = u \tan l \quad \ldots \quad (8)$$

But making, d = the distance along the line between the meridians, we have the properties of the circle

$$2r + u : d :: d : u; \text{ whence}$$

$u(2r+u) = d^2$ and $u = \frac{d^2}{2r+u}$; and the quantity u, in the divisor of the second member, being so minute, when compared with $2r$, as to have no effect upon the result within the limits we have adopted,

this expression becomes

$$u = \frac{d^2}{2r}$$

and substituting this value in equation (5). we have

$$x = \frac{d^2 \tan l}{2r} \quad \ldots\ldots\ldots\ldots\ldots\ldots\ldots (9)$$

If now in this expression we make d = 1 mile. and substitute for the letters their numerical values. we shall have

$$x = 6.855 \text{ inches}$$

A simple inspection of equation (9) will show that the latitude being constant. x varies as d^2. Hence we must offset north as follows:-

When d = 1 mile.	x = 1 × 6.855 inches =	0 feet	6.855 ins
" " = 2 miles.	x = 4 × 6.855 " =	2 ft.	3.420 ins
" " = 3 "	x = 9 × 6.855 " =	5 ft.	1.695 ins
" " = 4 "	x = 16 × 6.855 " =	9 ft.	1.680 ins
" " = 5 "	x = 25 × 6.855 " =	14 ft.	3.375 ins
" " = 6 "	x = 36 × 6.855 " =	20 ft.	6.780 ins
" " = 7 "	x = 49 × 6.855 " =	27 ft.	11.895 ins
" " = 8 "	x = 64 × 6.855 " =	36 ft.	6.720 ins
" " = 9 "	x = 81 × 6.855 " =	46 ft.	2.295 ins
" " = 10 "	x = 100 × 6.855 " =	57 ft.	1.500 ins
" " = 60 "	x = 3600 × 6.855 " =	2056 ft.	6.000 ins

Note 15.

In note A. equation (7) we find 20. 872. 306 feet to be the length of the radius of curvature of the terrestrial meridian at the parallel of 46° 24' 40". and, as this value may be considered constant for a short distance north or south of that parallel, and as radius expressed in seconds, is equal to 206. 264. 806" we have for the length of a second of longitude on either side of the line, for a few miles.

$$l'' = \frac{20.872.306}{206.264.806} = 101.2 \text{ feet.}$$

Note 16.

It is plain that the abscis x is equal to the radius of the circle of latitude passing through L.

In note A. equation (4.) we have

$$x^2 = \frac{a^4 \cos^2 l}{a^2 - e^2 \sin^2 l} \text{ ; whence}$$

$$x = \frac{a^2 \cos l}{(a^2 - e^2 \sin^2 l)^{\frac{1}{2}}} \text{ : or, using } a \text{ as a unit,}$$

and substituting the numerical values

$$x = \frac{.75933361}{(1 - .00667331 \times .49212333)^{\frac{1}{2}}} = \frac{.75933361}{.99717627}$$

$$= \frac{.75933361}{.99858713} = .76060824 \text{ : and, assuming the foot as a unit}$$

$$x = 20.923.596 \times .76060824 = 15.914.660 \text{ feet.}$$

Hence along (or near) the parallel of 40° 24' 40". we have for the length of a second of longitude

$$l = \frac{15.914.660}{206.264.806} = 77.1564 \text{ feet.}$$

We may therefore easily ascertain the difference of longitude between any two points on the line; and consequently whenever the longitude at any one of these points shall have been determined, it will become known for all the others.

The following is a statement of the differences of longitude between the principal points on the line. viz:

Between Sullivans corner & the monument near the Iowa River 1° 2' 25". 94

" " " " " " " Des Moines 2° 51' 48". 49

" the extreme monuments 4° 0' 14". 43.

And since the line extends west of the monument near the Missouri river 6 chains, and east of the monument near the Des Moines 50 links, we see that the whole extent of longitude embraced by the line is 4° 1' 7". 29."

And the field notes referred to by the said surveyors Wacker and Kewny, as part of their report, are in the words and figures following:

" Diagram showing the situation of the corner.

Note.

The field notes relate to the true line, as established on the ground. No notice is taken of random lines. The distances are reckoned in chains and links from the beginning of each mile.

When a post is noted as set in a mound the fact is invariably 7 links west. To designate it from other surveys on the prairie the posts are marked with the letters "B L" facing the east, the letter "S" facing the north, and the letter "M" facing the south, and the number of the mile marked on the west face of the post. On timber the number of the mile is marked on the witness trees, with the letter appropriate to each state, there being one tree marked on each side of the line wherever possible. The post of each

witness tree is marked with the letters "B. L."

Missouri and Iowa Boundary.
West Line.
Commenced May the 24th
and
Completed July the 12th
A.D. 1850.

Planted a cast iron monument at the North West corner. Latitude 40° 34' 40".3 N.

Missouri and Kans Boundary West line Commencing at Sullivans N. E. corner.

Course West	Dist.	On a parallel of Latitude
		1st mile
	2.00	Prairie
	18.20	Branch 6 lks wide runs S. skirted with timber
	2.00	Prairie -
		Land rolling, 2d rate.
		2d. Mile
	2.90	Bushy branch 6 lks wide, runs South, skirted occasionally with strips of timber.
		Land rolling - 2d rate.
		3d Mile
	7.80	Timber
		Land rolling - Soil 2d rate.
		4th Mile
	5.00	Honey creek 25 lks wide, runs South
	2.00	Prairie
		Land rolling, 1/2 2d rate. timber ordinary, black and burr oak, elm, hickory, and walnut and under-growth brush of same.
		5th Mile
		Second rate rolling prairie

Chains.	Link.	
West		On a parallel of latitude.
		6th Mile.
		Second rate rolling, prairie.
		7th Mile
	50.00	A small branch runs S. W.
	74.00	Branch 4 links wide runs south.
		These branches unite about 10 chs below the line and at their junction commences an extensive grove extending South.
		Land rolling, soil 2d rate.
		8th Mile
		Rolling, prairie. Soil 2d rate.
		9th Mile
		First half rolling, prairie second half broken and covered with patches of hazle.
		10th Mile.
		Hazle continues
	50.00	Timber
	52.00	Crain runs N. W.
	70.00	Prairie
	80.00	Set a cast iron monument with the word "Boundary" facing both the east and west. and the word "Iowa" facing the north, and the word "Nisipeuw" facing the south. Land rather broken, soil 2d rate. Timber poor & sparse mostly black oak

Course	Dists	
West		On a parallel of latitude
		11th Mile.
	4.50	Timber (a small grove)
	6.25	Prairie
	12.00	Bottom
	21.00	East fork of 112. 40 lks wide runs S. W.
	27.00	Prairie
		Land rolling 2d rate Prairie interspersed with hazle thickets. Timber tolerable, elm, linde, hickory walnut &c. The ridges are covered with hazle and scrub oak.
		12th Mile
	34.50	Timber
	36.50	Middle fork of 112. 25 lks wide, runs South
	41.50	Prairie with patches of hazle
		Land rolling, Soil 2d rate. Bottom on the creek level and rich. Timber indifferent.
		13th Mile
	69.00	Timber
	74.50	West fork of 102, 20 lks wide, runs South skirted with a narrow belt of sparse timber
		Land rolling, 2d rate. Bottom rather wet.
		14th Mile
		Rolling, 2d rate prairie

Course West	Dist.	
		On a parallel of latitude
		15th Mile
		Prairie rather broken. 2d rate. Patches of bush and small groves of sparse timber.
		16th Mile
		Same as last mile.
		17th Mile
	21.00	Timber
	31.25	Small branch runs N.W. to NE corner of Mr Shorts field 300 lks. & 45° W.
	50.00	N. W. corner of Shorts field 200 chs south
	64.00	Clear creek 10 chs wide runs S.W.
		Land rolling, 2d rate Timber tolerable black &, burr oak. elm & walnut &c. with underbrush.
		18th Mile
	1.50	Prairie. Land rolling. 2d rate
		19th Mile
		Rolling, 2d rate prairie.
		20th Mile
	5.00	Drain runs N.W. Grove Short distance South.
	39.00	Cut off SW corner of Davidson's field
	67.00	Drain N. W.
	80.00	Set cast iron monument facing as before
		Land rather broken. Soil 2d rate.

Course	Dist	
West		On a parallel of latitude
		21st Mile
		Rolling, 2d rate prairie.
		22d Mile
		Mostly bottom prairie, level and rich.
		23d Mile
	7.20	Medaway river 100 lks wide, runs South, muddy channel, narrow belt of timber on the banks. The first half is rather wet bottom prairie. Last 1/4 of the mile brushy and the end in a dense thicket.
		24th Mile
		First 1/4 brushy, with thickets of hazle &c Balance prairie, rolling, 2d rate.
		25th Mile
		Upland prairie, rolling, 2d rate.
		26th Mile
		Same as last mile
		27th Mile
		Rolling, 2d rate prairie.
		28th Mile
	29.50	Sparse timber
	24.00	Brushy prairie
	49.50	Chain & M.
	4.50	Timber

Friday January 3d 1851 continued.

Course West	Dist.	On a parallel of latitude.
		28th mile continued
	65.00	Bottom
	68.50	Thicket of dense brush
	72.00	Branch 6 lks wide. runs S.E.
	73.50	Prairie
		Land rolling. Soil 2d rate. Timber poor.
		29th Mile
	1.00	Left bottom
	19.50	Small grove
	25.50	Left same. Prairie
	35.00	Bottom
	38.00	Timber
	43.00	Mill cr. 15 lks wide. runs south.
	45.50	Prairie
	53.00	Left bottom
		Same as last mile.
		30th Mile
	16.40	Small branch runs N.E. high & th. banks
	80.00	Set cast iron monument in a small mound
		as before. Land very rolling. 2d rate.
		31st Mile
		Rolling, upland prairie
		32d Mile
		Same.

Course	Dist.	
West		On a parallel of latitude
		35 Mile
		Rolling upland prairie.
		34 ch. Mile
	13.00	East Tashio 8 chs wide runs south. banks steep. channel muddy. Narrow belt of timber a the banks occasionally spreading out into considerable groves.
		Upland rolling. 2d rate. Bottom about 3/4 mile wide. level and rich.
		35 ch. Mile
		Rolling, upland prairie.
		36 ch. Mile
		The Same.
		37 ch. Mile
		The same.
		38 ch. Mile
	9.90	Middle Tashio. 6 chs wide, runs south. Same as last mile.
		39 ch. Mile
	7.50	A wet swale
	17.00	left swale
	30.00	East edge of a grove about 5 chs South extending west.

Course	Dist	On a parallel of latitude.
West		40th Mile
	3.00	Timber
	69.25	West Jackie, 60 lks wide. runs S.W. Prairie
	80.00	Set cast iron monument facing same as above.
		Upland rolling, 2d rate. bottom rich. Timber.
		burr oak, hickory, elm &c.
		41st Mile
		Upland rolling, prairie.
		42d Mile
		The same.
		43d Mile
		The same.
		44th Mile
		The same.
		45th Mile
		The same.
		46th Mile
		The same.
		47th Mile
	26.40	High creek. 5 lks wide. runs S.W.
		The same.
		48th Mile
		The same.

Course West	Dist.	On a parallel of latitude.
		49th. Mile
		Upland rolling prarie.
		50th Mile
	80.00	Set cast iron monument in a low wet swale facing as before.
		Land same as last mile.
		51st. Mile
	44.90	Field fence N. & S.
	69.30	Fence N. & S.
	70.00	Timber
		Land as before.
		52d. Mile
	4.70	Left field fence N. & S. Timber.
	31.25	Branch 4 lks wide runs North
	77.00	Road N. & S. Prairie.
	77.50	Touched the N.W. corner of a field.
		Land as usual Timber Ishwalk Cub. Inches.
		dec. &c.
		53d Mile
	7.75	Timber.
	28.00	Field fence N. & S.
	40.10	Left field fence N. & S. Prairie
	45.50	Timber
	64.75	Small branch runs south

Friday, January 7 1831. Continued

Course West	Dist.	On a parallel of latitude.
		53d Mile continued
	66.80	Field fence N. & S. (Sagers). Left timber. Land broken. Soil 2d rate. Timber, oak, hickory, elm. &c.
		54th Mile
	00.60	Fence N. & S. dividing Sagers & Lebo.
	7.50	Left field N. & S.
	10.00	Open burr oak timber.
	15.75	Spring branch S.W.
	57.50	Road N. & S.
	60.00	Field fence N. & S. - Prairie. Land broken. 2d rate. Timber, burr oak, hickory &c. The 54th 52' 53" 8/55ths miles runs through what is known as "McDessert's grove" embracing a fine farming country.
		55th Mile.
	2.50	Left field
	5.10	Top of steep bluff. Sparse timber on the steps.
	9.50	Bottom prairie.
	30.00	Timber
	32.50	Yashnabotona river 150 lks wide runs S.W. The bottom is level and rich, affording fine pasturage. There is a narrow strip of timber on the river.

Course	Dist.	
West		On a parallel of latitude.
		56th Mile
		Level rich bottom.
		57th Mile
	22.50	Slough runs South
		Land the same.
		58th Mile
		The same.
		59th Mile
		The same.
		60th Mile
	2.00	Set east iron monument the words "State Line" facing the east, and the word "Iowa" facing the north, and the word "Missouri" facing the south.
		The ground here is high, affording a much more appropriate site for the monument, than the termini on the bank of the Missouri river, where the land is extremely liable to wash & is frequently overflowed.
		61st Mile
	9.50	Road N & S. The ground begins to become lower from this point.
	15.00	Field fence N. & S.
	24.00	Left field fence North & South. Timber.

Course West | Dist. | On a parallel of latitude

61st Mile continued

3.50 A cottonwood 30 inches diam. notched on the east and west sides and marked with the letter "P" on the north and "Mo" on the south.

61.00 Set a post on the bank of the Arkansas river.

Bearing { Cottonwood 10 in dia. S. 67° E 6 lks
" " " N. 21° W. 12 "

Rich bottom land. heavy body of timber principally cottonwood & elm.

Missouri and Iowa Boundary. East Line.
From Sullivan's N. W. corner.

Course	Dist.	
		1st. Mile. – Var. of needle 11° E.
S. 89° 30' E.	4.00	Small branch runs S. 10°
	10.50	Prairie.
	33.00	Cross south. Bushy prairie
	65.00	Touched south point of a grove
	80.00	Set post in mound.
		Land very rolling, Soil 2d rate. –
		2d Mile
	10.50	Small branch runs S.E. bottom sparse timber
	16.00	Branch 25 links wide. runs South.
	27.00	Bottom prairie.
	61.20	Branch 25 lks wide, runs S.E. narrow skirt of timber on the banks.
	75.00	Bushy upland prairie – Barrens.
	80.00	Set 2d mile post in mound. –
		3d Mile
	59.50	Sparse timber
	77.00	Prairie
	80.00	Sullivan's 3d mile corner found by one witness tree. Set 3d mile post in mound. 2d & 3d miles very rolling, with sparse timber and barrens. –

Course	Dist.	4th mile. Var. 11° E.
N. 89° 45' E	19.00	Bottom prairie
	50.50	Falls river 75 lks wide runs S.E. Narrow skirt of timber. Sullivans Blazes.
	58.50	South front of a sharp bend in the river the line enters the river a short distance.
	66.00	Prairie
	72.00	Upland
	80.00	Set post in mound
		Land rolling. 2d rate. Timber poor. hickory. elm. burr oak &c. -
		5th. Mile
"	80.00	Set post in mound
		Rolling, upland prairie. -
		6th Mile
"	80.00	Set 6th mile post in mound.
		Land as last mile. -
		7th. Mile
"	12.50	Branch 20 lks wide runs S.W. Timber.
	14.25	" " " " Rock
	16.00	" " " " S.W. Found Sullivans blazes on the line.
	35.50	Prairie
	51.50	Bottom
	80.00	Set 7th mile post in mound.

Course	Dist	
		7th Mile continued - Var 11° E.
S 85° 45' E		Upland - broken brush barrens bottom rich. -
		8th Mile
"	40.00	West fork of Grand river. 100 lks wide S. Timber.
	6.50	Prairie
	80.00	Set 8th mile post in mound Land level and rich. Timber good. hickory elm. blk walnut &c.
		9th Mile
"	32.00	Brushy upland prairie. Sparse scrub oak on the ridges.
	54.50	Small branch runs S W.
	80.00	Set 9th M post in mound Upland broken and brushy. -
		10th Mile
"	42.50	Road N E. - Open prairie
	80.00	Set cast-iron monument with the word "Boundary" facing both the east and the west. and the word "Iowa" facing the north. and the word "Missouri" facing, the south. First half mile broken and brushy. 2d half open prairie.

Course	Dist.	
		11th Mile. Var. 11° E.
N. 89° 45' E.	80.00	Set 11th mile post in mound
		Land broken and brushy.
		12th Mile
"	35.00	Sparse timber. Land broken
	29.00	Branch 10 lks wide, runs E.S.E.
	31.00	Prairie
	8.00	Set 12th mile post in mound near a small branch.
		Land rolling. 2d rate. —
		13th Mile.
"	00.05	Small branch runs S. Scattering trees and brush on E side.
	59.00	Timber. Creek a few links South
	71.00	Creek 30 lks wide runs South
	73.00	" " " " " N. W.
	78.50	" " " " " South
		This creek is very crooked and has probably changed its channel since Sullivan run his lines. The line is on his blazes.
	80.00	Set 13th mile post.
		Bearings { Burr oak 18 in diam. S. 20 E. 41 lks. Elm 20 " " N. 20 W. 57 "
		Land rolling, 2d rate. Timber elm, burr oak, hickory, land &c.

Course	Dist.	
		14th Mile. Var. 11° E
N 15° 45 E.	1.40	Sullivans 13th mile corner found by an old line tree still standing,
N 15° 15 E	40.50	Field. Left timber. The line is a Sullivans blazes through this timber.
	55.75	Left field. Prairie
	80.00	Set 14th mile post in mound.
		Land rolling, 2d rate. Timber good. white, burr oak. elm. hickory, &c.-
		15th Mile
"	80.00	Set 15th mile post in mound.
		Land rolling, prairie.
		16th Mile. Var. 11° 30' E.
"	39.00	Small branch. runs S. E.
	46.00	Branch 12 lks wide. runs E. S. E. Narrow belt of timber on banks. Sullivans blazes.
	55.00	Sparse timber
	67.00	Prairie
	80.00	Set 16th M. post in mound
		Land rolling, 2d rate.-
		17th Mile
"	80.00	Set 17th M. post in mound.
		Land same.-

Friday, January 3d 1851. continued.

Course	Dist.	18th Mile. Var. 11° 30' E.
N 89° 43' E	30.00	1/4 Bottom
	80.00	Set 18th M. post in mound
		Upland rolling. - Bottom rich. -
		19th Mile
"	13.50	Branch 10 lks wide. runs S. Narrow belt of timber on the branch
	30.00	Timber (Lots Grove)
	22.50	Creek 25 lks wide. runs S.W.
	80.00	Set 19th mile post
	Bearings	White oak 10 in. dia. N. 20 W. 129 lks. " " 14 " E. 5° N. 85 "
		Sand rolling. 2d rate. Timber good. white, black & burr oak, elm. hickory &c. -
		20th Mile
"	2.18	Sullivans 1/4 on corner found by both witness trees.
S 89. 47' E.	6.50	Small branch runs N. W. Prairie.
	30.50	Small branch runs N. W
	8.00	Set eastern monument facing as before
		Sand broken and brushy. A few trees on east end of mile. -

Course	Dist.	21st Mile - Var. 10° 30' E.
S 39° 45' E.	67.50	Drain runs S.W.
	80.00	Set post 21st mile
		Burr oak 14 inches S 61° E. 181 lks
	Bearings	. . . . . N 25° E. 74 "
		Land broken and brushy. -
		22d Mile. Var. 10° 15' E
"	1.00	Sullivans 21st mile corner found by bell witness trees.
N 39° 45' E	6.00	Small branch W.S.W. - 4 sour trees
	12.50	A small branch runs S.W.
	80.00	Set 22d mile post in a mound
		Land broken & brushy - Barrens. -
		23d Mile
"	5.00	Small branch runs north.
	27.50	Small branch runs S.W.
	80.00	Set 23d mile post in mound
		Land very rolling, with patches of hazle. -
		24th Mile
"	22.00	Creek 30 lks wide runs S.W. Timber
	26.00	Same . . . S.W.
	32.50	Same . S.W.
	38.00	Prairie
	80.00	Set 24th m. post in a mound. - Land rolling, Prairie
		Timber indifferent. Elm, Hickory & Burr oak. -

Friday, January 6. 1831 - continued -

Course	Dist	
		25th Mile. Var. 9° 52' E.
N. 87° 29' E.	67.50	Small branch runs N.W. Sparce timber.
	80.00	Set 25th mile post
		Bearings } Blk oak 20 in dia. S. 35° W. 190 lks " " 20 " " N. 4° W. 262 "
		Rolling, brushy prairie. Timber poor. blk & burr oak and hickory.
		26th Mile
"	2.00	Prairie
	14.50	Road N. E.
	66.25	Small branch runs S. Stone 200 lks S.
	80.00	Set 26th mile post in a mound
		Land rolling - Poor rate. -
		27th Mile
"	80.00	Set 27th mile post in a mound.
		Land same as last mile. -
		28th Mile
"	22.00	Creek 20 lks wide, runs South - Timber.
	27.84	Red oak 36 in dia. Sullivans line tree.
		noted by him at 96 lks.
	80.00	Set 28th mile post on Sullivans blazes
		Bearings } Elm 10 in dia. S 50° E. 60 lks Blk oak 14 " " N 5° E 352 "
		Land rolling. Timber good. White burr & red oak, elm. hickory &c. -

Course	Dist.	29th Mile. Var. 9° 54' E.
N. 89° E.	2.00	Prairie
	60.00	A few trees and brush
	80.00	Set 29th mile post in mound.
		Rolling, prairie. —
		30th Mile
"	12.00	Small branch runs S.E.
	80.00	Set east iron monument facing, as before.
		Rolling prairie rather brushy.
		31st Mile
N. 85° 30 E.	11.50	Timber
	16.00	Creek 50 lks wide, runs S.E.
	22.10	Prairie
	80.00	Set 31st mile post in mound.
		Land same as before. —
		32d Mile
"	80.00	Set 32d mile post in mound
		Rolling, prairie —
		33d Mile
"	20.50	Creek 25 lks wide, runs S.E. Timber
	22.50	Prairie
	36.75	Stream 10 lks wide, runs South
	80.00	Set 33d mile post in mound
		Land same. —

Friday, January 3d 1851. continued

Course	Dist.	34th Mile - Var. 9° 34' E.
N. 55° 30 E.	07.83	Stream 25 lks wide runs S.E. Timber
	72.50	Prairie
	80.00	Set 34th Mile post.
		Elm 10 in dia. N. 75° W. 69 lks
		Elm 9 " S. 45° W. 141 "
		Land rolling, - Soil 2d rate. -
		35th Mile
"	36.7	Sullivan's 34th mile corner found by one witness tree
N. 85° 55 E.	80.00	Set 35th M. post in mound
		Land rolling. -
		36th Mile
"	40.75	Stream 25 lks wide runs S. Two lines a banks.
	54.00	Timber
	75.50	Prairie
	80.00	Set 36th mile post in mound.
		Rolling prairie. -
		37th Mile
"	80.00	Set 37th Mile post in mound.
		Rolling prairie. -
		38th Mile
"	80.00	Set 38th Mile post in mound
		Rolling, prairie. -

Course	Dists	39th Mile Var 9° 25' E.
N. 88° 55 E	21.00	Grove of young timber. hickory
	22.50	Prairie
	44.00	Grove of young hickory
	46.50	Prairie
	60.00	Timber
	62.60	Stream 25 lks wide runs S. dry at present.
	66.50	Small prairie surrounded with timber.
	76.50	Timber
	80.00	Set 39th mile post
		Burr oak 9 in dia. N. 20° E. 39 lks
	Bi.	Wk oak 12 " " N. 30° E. 32 "
		Land rolling. Timber, br & blk oak &c.
		40th Mile
"	5.50	Sullivans 39th mile corner found by one witness tree.
	7.50	Prairie
	10.00	Set a cast iron monument facing as above on the steep slope of a hill in the prairie
		Rolling prairie
		41st Mile
"	8.00	Set 41st mile post in a mound. Land as a bove.
		42d Mile
"	10.00	River bottom
	60.00	Timber

Course	Dist	42d Mile continued. Var. 7° 55' E.
N. 88° 35 E	76.00	Sullivans line tree (an elm)
	80.00	Set 42d mile post
		Bearings: Cottonwood 18 in. dia. S. 20° E. 17 lks Maple 9 " " S 35° W. 1¼ "
		Land bottom and rich. Timber, cottonwood, elm, maple, walnut &c.—
		43d Mile
"	00.50	Grand river 200 lks wide runs S E.
	6.50	Sullivans 42d mile corner
N. 89° 6 E.	11.50	Prairie bottom. Var. 7° 6' E.
	79.50	Upland & Timber
	80.00	Set 43d mile post
		Bearings: Elm 10 in dia N 5° W 77 lks White oak 10 in dia. S. 60° W. 158 "
		Level rich land.—
		44th Mile
"	6.50	Sullivans 43d m corner found & one witness tree
N. 89° 47 E.	61.00	Prairie
	72.00	Timber
	76.00	Prairie
	80.00	Set 44th mile post
		Bearings: Pin oak 15 in dia S 52° W. 390 lks, " " " " N 63 W. 242 "
		Land rolling. Timber oak & hickory.—

Course	Dist	
		45th Mile. Var. 9° 0' E.
N 89° 45' E	50	Sullivans 44 mile corner found by ex.
		mile tree Timber
N 89° E	32.00	Same
	80.00	Set 45th mile post in mound
		Land as usual.
		46th Mile
"	32.00	Timber with thick undergrowth
	80.00	Set 46th mile post in mound
		Barrens.
		47th Mile
"	80.00	Set 47th mile post in mound
		Brushy barrens.
		48th Mile
"	32.00	Stream 12 lks. wide. runs S.
	80.00	Set 48th mile post in mound.
		Brushy barrens
		49th Mile
"	32.50	Timber
	60.50	Little river (a fork of Grand river) 60 lks
		runs S.E.
	66.50	Same stream runs west
	71.50	Same - - South
	80.00	Set 49th Mile post.

Friday, January 3d 1851. Continued

Chains.	Chains.	
	East	49th Mile continued on 7° E.
N. 89° 7° E.		White oak 36 in. dia. S. 76° E. 39 lks
		Bearings } " " 18 " " N. 63° E. 47 "
		Land 1st rate.
		50th Mile
"	6.50	Sullivans 49 mile corner found by cor. witness tree
N. 87° 15° E.	18.00	Brushy prairie
	50.00	Set cast iron monument facing as before.
		Barrens.
		51st Mile
"	80.00	Set 51st mile post in mound
		Rolling, prairie.
		52d Mile
"	12.00	Timber
	36.00	River bottom
	28.50	East grand river 150 lks wide, runs S. W.
	38.50	Same " North.
	52.30	Same " South.
	80.00	Set 52d mile post.
		Elm 18 in. dia. N. 87½° E. 10½ lks
		Bearings } Burr oak 12 " S. 22 W. 28 "
		Mostly rich bottom. White & burr oak, elm, hickory &c.
		53d Mile
N. 85° 45° E.	6.50	Append 200 lks wide. direction of its length N. ½ d.
	5.00	Prairie

Course	Dist	
		53d mile continued. Var. 9° 6' E.
N 18° 47' E.	15.00	Timber
	20.00	Field (Holes) fence nearly N & S.
	57.50	Left field. Bushy prairie
	80.00	Set 53d mile post.
		Bearings } Blk. oak 8 in. dia. S 35° E. 15 lks " 6 " " S 35° E. 6 "
		Land rolling timber oak thickets with undergrowth.
		54th Mile
"	1.50	A small prairie surrounded by timber.
	9.00	Timber & dense undergrowth of thorn, oak &c.
	80.00	Set 54th mile post
		Bearings } Blk oak 12 in. dia. N. 35° W. 73 lks " " 14 " " S. 7° W. 134 "
		Growth of small timber & dense underbrush.
		55th Mile
"	4.67	Sullivans 54 m corner found & left with & bears
N 89° E.	32.70	Branch 10 lks wide, runs S.
	42.50	Branch 10 " " " N. W.
	62.75	Prairie (Small & surrounded with timber)
	71.00	Alexanders field fence nearly N & S.
	80.00	Set 55th mile post in a field.
		1st rate Upland.
		56th Mile
"	7.00	Fence nearly N. & S.

Friday, January 3d 1851 continued

Course	Dist.	56th Mile continued. Var. 9° E.
N. 89° E	9.00	Fence runs a little South of East
	11.00	Brushy thicket. Plum, scrub oak, Sumac &c
	30.00	Timber
	31.00	Prairie
	75.00	Fence about N 65° E. (Hodges)
	80.00	Set 56° mile post in a mound
		Land same as before.
		57th Mile
	2.50	Fence about N 25° W.
	47.50	Road N. & S.
	80.00	Set 57th Mile post in mound
		Rolling, prairie.
		58th Mile
	31.00	Timber with dense undergrowth
	31.35	Stream 10 lks wide, runs N. E.
	31.80	Same . . East
	32.25	Same . . N. E.
	49.75	Same . . South
	53.00	Prairie
	57.50	Brushy prairie
	58.75	Prairie
	60.50	Brushy thicket
	65.00	Timber with dense undergrowth
	78.70	Sullivans line tree (elm.)

Course	Dist.	58th Mile continued - Var. 9° 0' E
N 89° 2' E.	80.00	Set 58th mile post
		Pinoak 8 in. dia. S 77° E 43 lks
		Bunny { . . 6 . . N 11° E. 41½ .
		Land rolling. Soil good. Timber small, with a dense undergrowth.
		59th Mile
"	2.53	Sullivans 58 m corner found by both witness trees
N 89° 2' E	2.65	West fork of muddy cr. 25 links wide, runs S.
	35.00	Middle fork muddy cr. 25 lks wide. runs S.E.
	77.00	Prairie
	80.00	Set 59th mile post in mound.
		Land same as before.
		60th Mile
"	0.45	Field (Sullivans) fence N & S.
	12.45	Fence N & S. - Prairie
	36.20	Field (Sullivans & Locklins) fence about S. 25° E.
	45.20	Fence about S. 65° E.
	80.00	Set east iron monument facing, as before
		Land good.
		61st Mile
"	19.80	East fork of muddy cr. runs S. Very little timber on banks.
	80.00	Set post to 61st mile in mound
		Land good.

Friday, January 3d 1851. continued

Course	Dist	
		62d Mile — Var. 9° 6' E.
N 89° 27' E	80.00	Set 62d mile post in mound
		Rolling, prairie
		63d Mile
"	80.00	Set 63d mile post in mound
		Rolling, prairie.
		64th Mile
"	80.00	Set 64th mile post in mound
		Same.
		65th Mile
"	7.00	Timber
	11.00	Prairie
	19.65	West fork Medicine cr. 40 lks runs south Timber
	22.50	Field fence N. & S.
	33.25	Left field fence N. & S.
	47.50	Prairie
	80.00	Set 65th m. post in mound.
		Land good. Timber indifferent. —
		66th Mile
"	63.50	Timber
	80.00	Set 66th mile post
		Brs White oak 16 in dia N. 65° E. 14 lks
		" " 16 " " S. 35° W. 20 "
		Rich land. —

Course	Dist	67th Mile. Var. 9° E.
N 89° 37' E	1.50	Sullivans 67th m corner found by ox witness tree.
N 87° 48' E.	9.20	Middle Indiana cr. 25 lks wide runs S.E.
	13.40	Same " N.E.
	16.20	Same " S.E.
	18.00	Prairie
	44.50	Timber.
	45.12	Big Medicine 60 lks wide runs S.E.
	80.00	Set 67th mile post.
	Bearings	White oak 16 in. dia. S 45° E. 40 lks " " 8 " " N 40° W. 25 "
		Broken 2d rate land.—
		68th Mile
"	4.62	Sullivans 67th mile corner found by bold bur.
N 89° 25' E.	24.48	Sullivan's line tree (a white oak)
	21.20	Collins's field fence nearly north & south
	41.25	Left field fence nearly north & south.
	61.50	Timber
	72.50	Prairie
	80.00	Set 68th mile post in mound.
		(Corrected this mile from the line tree.)
		Land 2d rate.
		69th Mile
N 89° 31 E	8.00	East Indiana 60 lks wide runs S & timber on the bank.

Course	Dist.	
		69th Mile continued. Var. 9° 6' E.
N 89° 21' E.	17.00	Timber open white oak.
	47.50	Prairie
	80.00	Set 69th M. post in mound. Land rolling, Timber white oak, elm hickory. Land 2d rate. –
		70th Mile
"	80.00	Set cast iron monument facing, as before. Same. Rolling, prairie.
		71st Mile
"	80.00	Set 71st mile post in mound. – Same. –
		72d Mile
"	80.00	Set 72d mile post in mound. Same.
		73d Mile
"	80.00	Set 73d mile post in mound. Same. –
		74th Mile
	41.00	Stream 15 lks wide runs South Timber
	47.50	Prairie
	60.10	Stream 10 lks wide. runs S. W. narrow strip of timber on banks.
	80.00	Set 74th mile post in mound. Land Same. –
		75th Mile
"	80.00	Set 75th mile post in mound. – Same.
		76th Mile
"	80.00	Set 76th mile post in mound. Same

Course	Chs	
		77th Mile Var 7° E
N. 89° 2' E.	66.20	Stream 50 lks wide runs S.W. Timber
	80.00	Set 77th Mile post
		Bears { Blk oak 15 in. dia. S. 25° W. 32 Lks
		" " " " " N. 44° E. 28 "
		Broken 2d rate land.
		78th Mile
"	7.20	Sullivans 77 m corner found by Lds witness trees
N. 88° 57 E.	47.00	Prairie
	55.75	Smiths field fence N & S
	58.40	Timber
	64.50	Prairie
	74.00	Field fence N & S
	80.00	Set 78 Mile post in a field.
		Land rolling. Soil 2d rate. Timber oak Hickory
		79th Mile
"	7.00	Left field fence N & S Prairie
	49.50	Timber generally small with underbrush
	59.20	Stream 10 lks wide. runs South
	77.50	Small prairie
	80.00	Set 79 Mile post in a mound
		Same. —
		80 Mile
	2.50	Timber
	14.60	Stream 10 lks wide. runs South

Course	Dist.	80th Mile continued. Var. 9° E.
N. 88° 57' E.	41.50	Prairie
	80.00	Set cast iron monument facing, as before.
		Same.
		81st Mile
"	40.50	Mormon trace N. & S.
	80.00	Set 81st mile post in mound.
		Rolling prairie.
		82d Mile
"	4.50	Stream 10 lks wide runs S timber on the banks
	80.00	Set 82d mile post in a mound.
		Same.
		83d Mile
	80.00	Set 83d mile post in a mound. Same.
		84th Mile
	80.00	Set 84th mile post in mound. Rolling prairie.
		85th Mile
	80.00	Set 85th mile post in mound. Same.
		86th Mile.
	39.50	Bennets house. about 150 lks north
	80.00	Set 86th mile post in mound.
		Prairie with clumps of oak.
		87 Mile
"	80.00	Set 87th mile post in a mound.
		Land Same.

Course	Dist	
		88th Mile. Var. 9° 6' E
N. 88° 57' E	38.50	Timber
	80.00	Set 88th mile post in mound.
		Prairie with scattering trees - Sparse timber. -
		89th Mile
"	12.24	Sullivans 88 m corner found by one witness tree
N. 89° 12' E.	22.75	Stream 50 lks wide. runs S.E.
	65.28	Sullivans line tree (a white oak)
S. 89° 15' E.	80.00	Set 89th mile post.
		Brs { White oak 24 in dia. N. 15° W. 65 lks " " " " S. 15° W. 82 "
		Poor broken land. -
		90th Mile
"	3.50	Small prairie surrounded by timber
	12.52	Sullivans 89th Mile corner
N. 88° 57' E.	15.00	Timber
"	80.00	Set cast iron monument facing as before.
		Timber white Hlk oak with undergrowth.
		Land rolling. -
		91st Mile. Var. 9° 36' E
"	12.71	Sullivans 90th mile corner
N. 89° 5' E.	38.40	Small branch runs S.E.
	80.00	Set 91st Mile post.
		Brs { White oak 24 in dia. S. 75° E 49 lks " " " " N. 15° E. 89 "

Course	Dist.	
		91st Mile. continued. Var. 9° 36' E.
N. 89° 5' E		Land broken. 3d rate. Timber white and black oak &c—
		92d Mile
"	8.35	Corner to intersection of supposed Sullivan's line with range line between ranges 17 & 18. (Iowa Sur.)
	12.19	Sullivan's 91st mile corner
N. 89° 12' E	34.00	Comes to intersection of supposed Sullivan's line with range line between ranges 17 & 18. Mo. Sur.
	43.00	Prairie
	46.50	Cull off the S.E. corner of a field
	49.10	Left field
	52.00	Timber
	54.70	West fork of Chariton 100 lks wide. runs S.E.
	80.00	Set 92d mile post
		Bearings } White oak 16 in dia. S. 45° E. 41 lks " " " " North 41 "
		Upland broken. 3d rate. Narrow bottom on the river 1st rate. Timber. white. black oak &c.
		93d Mile
"	12.36	Sullivan's 92d mile corner
	15.00	Small branch. runs S.W.
	19.33	Sullivan's line tree
	80.00	Set 93d Mile post.

Course	Dist.	
		93d Mile continued. Var. 9° 36' E.
N. 87 12' E.		White oak 12 in dia. N. 25° W. 3 lks.
		Bearings } " " 6 " " S.L° E. 4c "
		Land broken. 3d rate. White & Blk oak timber, &c
		94th Mile
"	12.20	Sullivans 93d mile corner.
N. 87° E.	25.00	Prairie
"	80.00	Set 94th Mile post in mound.
		Land broken. 2d rate soil. "
		95th Mile.
"	0.30	Road N. E. & S. W.
	80.00	Set 95th Mile post (on the bank) in a mound.
		Land broken. 2d rate. Brushy, a few trees. "
		96th Mile
"	63.00	Jack oak grove
	68.50	Small prairie surrounded by timber
	70.75	Small branch runs N. E.
	80.00	Set 96th Mile post
		Bearings - Burr oak 14 in dia. N. 11° E. 235 lks.
		Land broken. 2d rate. scrub oak. crab. thorn &c. "
		97th Mile
"	11.80	Sullivans 96th mile corner found by his elm tree.
N. 88° 35' E.	22.00	Heavy timber. more open.
	35.00	Sparse open timber
	59.00	Thicket of scrub oak. crab. thorn &c.

Course	Dist.	
		97th Mile continued – Var 9° 36' E.
N. 88° 30' E.	80.00	Set 97th Mile post.
		Bearings } Blk oak 6 in dia. N. 40° E. 12 lks Pin oak 12. " S. 29° E. 126 "
		Land broken. 3d rate timber fever
		98th Mile
"	11.84	Sullivans 97° m. corner. witness trees defaced
N. 87° 30' E.	26.50	Small branch runs north
	29.50	Narrow brushy prairie
	42.00	Sparse timber
	56.58	Sullivans line tree (Blk oak 24 diam)
N. 88° 30' E.	3.42	Bottom prairie
	80.00	Set 98° mile post in mound
		Land rolling. Soil 2d rate. –
		99th Mile
	19.50	Field fence. N & S. North side of field 25 lks N. of line and parallel with it.
	35.35	Left field
	3.00	Thicket & sparse timber
	42.00	Bottom prairie. level and wet
	80.00	Set 99° mile post in mound
		Upland is good soil.
		100th Mile
"	7.50	Timber
	12.66	Sullivans 99° m. corner witness trees defaced

Course	Dist.	
		100th Mile continued. Var. 9° 30' E.
N 8° 37' E	14.00	Right bank of Chariton 150 lks wide &c.
	17.25	left bank of river (by triangulation) L.f. below.
	8.00	Set cast iron monument facing as before
		Land rolling, 2d rate timber good. white and black oak. hickory &c. —
		101st Mile Var. 9° 30' E.
"	9.00	Timber
	12.77	Sullivans 100° Mile corner
N 1° 3 E	3.29	Sullivans line tree
	34.00	Low wet prairie. Land rolling to the south
	63.00	Timber. Upland
	80.00	Set 101st Mile post
		Bears { Blk oak 14 in dia. S. 35° E. 62 lks White " 14 " " N 10½° E. 119 "
		Timber good; White & Blk oak. hickory &c.
		102° Mile
"	12.78	Sullivans 101st mile corner. Trees defaced
N. 88° 47' E.	54.82	Road N & S.
	80.00	Set 102d mile post
		Bears { Hickory 14 in dia S 4° E. 91 lks White oak 12 " " N 35½° W 69 "
		Land rather broken Timber good White & Black oak.

Friday, January 3d 1851. continued.

Course	Dist	103d Mile. Var. 9° 30' E.
N 15° 45' E	6.00	Small branch runs north
	12.40	Sullivan's 102d Mile corner
N. 88° 30' E	43.60	Road nearly N. 18. House 300 lks South
	64.00	Prairie
	77.50	Timber
	80.00	Set 103d mile post
	Bearings	Elm 20 in dia. N. 12° E. 46 lks " " " S 22° W 46 "
		Land rolling, 2d rate. Timber indifferent kind. —
		104th Mile. Var. 8° 45' E
"	11.96	Sullivan's 103d mile corner. one witness standing
N. 89° E	12.00	Prairie
	17.20	Field (Veach) fence N 18.
	41.20	Left field fence N 18.
	80.00	Set 104th mile post in mound
		Land rolling. Soil 2d rate. —
		105th Mile
"	80.00	Set 105th mile post in mound. Same.
		106th Mile
"	12.00	Small grove and thicket
	65.75	Small branch runs South
	69.50	Prairie
	80.00	Set 106th mile post in mound
		Land Same. —

Course	Dist	
		107th Mile. Var. 8° 45' E.
N. 88° E	45.10	Grove of chicket
	80.00	Set 107th mile post
		Bearings } Bek. oak 12 in. dia. S 20° E. 43 lks " " " " N. 8° W. "
		Land rolling. Dry ate. Brushy. Timber poor. –
		108th Mile
"	12.69	Sullivans 107th mile corner
N. 87° 30' E	20.00	Small prairie
	26.00	Timber
	3.00	Small branch runs South
	64.50	Prairie
	80.00	Set 108 mile post in mound
		Timber poor. –
		109th Mile
"	80.00	Set 109th mile post in mound. Rolling prairie. –
		110th Mile
"	11.40	Field fence N. 45. (Wright)
	20.00	Left field
	70.00	Timber, & patches of brush
	75.00	House 20 lks north of line (Sutler)
	80.00	Set east iron monument facing as before
		Land rolling, Timber poor & sparse. –

Friday, January 3d 1851 continued.

Course	Dist	
		111th Mile. Var. 8° 45' E.
N. 87° 30' E.	12.34	Sullivans 110th Mile corner
N. 18° [illegible] E.	20.00	Set 111th mile post on mound in small prairie surrounded by dense thickets.
		Land broken, Prairie. Scrub timber Small prairies. —
		112th Mile
	3.00	Heavy timber
	11.50	Sullivans 111th mile corner
N. 85° 30' E.	14.50	Small branch general course E. The line runs down it crossing it several times.
	41.60	Left branch course N. E.
	73.00	Same branch runs South
	76.00	" " " N. E.
	80.00	Set 112th mile post on Sullivans blazes
	Bearings	White oak 20 in. dia. N. 3° E. 119 lks " " 14 " " S. 15½° W. 155 "
		Land good. Timber wh blk & burr oak, hickory elm &c. —
		113th Mile
	11.69	Sullivans 112th mile corner
N. 58° 21' E.	60.50	Field fence N. & S.
	74.75	Left same
	76.50	Bottom prairie
	80.00	Set post 113th mile in prairie.
		Bearings. Burr oak 20 in dia. N. 15½° E. 268 lks
		Land and timber as last mile. —

Course	Dist	
		114th Mile Var 7° 45' E.
N 18° 30' E	25.00	Timber
	33.00	Fabius river (West fork) 50 lks. runs S.E.
	58.72	Sullivans line tree
	65.00	Barrens
	80.00	Set 114th mile post
	Bearings	Blk. oak 12 in dia. N 42½° W 177 lks
		" " 6. " S. 29½° E. 40 "
		Land good. Timber, hickory, blk oak, elm &c. —
		115th Mile
	7.70	Field fence N. & S. Prairie
	24.00	Left field fence N & S.
	80.00	Set 115 mile post in mound
		Rolling, prairie.
		116th Mile
	36.00	Scrub oak thicket
	48.00	Prairie
	75.00	Mc Afees field fence N & S.
	80.00	Set 116th mile post in field
		Same.
		117th Mile
	16.50	Left field fence N & S.
	40.00	Timber. on Sullivans blazes
	75.15	East fork of Fabius 50 lks wide runs South
	80.00	Set 117th mile post

Friday, January 3d 1851. continued

Courses	Dists	
		117th Mile. continued. Var. 8° 45' E.
N. 88° 21' E		Hickory, 12 in dia S. 35° E. 73 lks
		Bearings { " 20 " " N. 14° W. 91 "
		Land good. Timber hickory, elm, ash, blk oak &c.
		118th Mile
N. 88° 17' E.	65.00	Prairie
	80.00	Set 118 Mile post in mound
		Land good. Timber burr & blk oak, hickory &c & brush.
		119th Mile
"	9.25	Field fence N. & S.
	19.40	Left field near S.E. corner Thicket
	53.50	Hickory branch 15 lks wide, runs E.S.E.
	80.00	Set 119 mile post in blk oak Thicket
		Bearings { Blk oak 8 in dia S. 38° W 15 lks
		" " 5 " " N. 5° E. 14 "
		Land 2d rate. Timber from. blk oak & hickory.
		120th Mile
	2.00	Prairie
	80.00	Set Cast corn monument facing as before
		Rolling prairie.
		121st Mile
"	80.00	Set post 121st mile in mound. edge of Thicket
		Same.
		122d Mile
	12.00	Branch 10 lks wide runs S. Timber Thicket

Course	Dist.	122d Mile - continued - Var. 8° 45' E.
N. 88° 17' E.	1.50	Range line between ranges 12 & 13.
	29.50	Prairie
	40.00	Jack oak thicket
	50.00	Set 122d mile post
		Bearings - Jack oak 6 in. dia. S. 12° E. 4 lks
		Land 2d rate - Timber poor.
		123 Mile
"	15.00	Sullivan's line tree (a blk oak. noted as a hickory.)
N. 88° E.	20.00	House 300 lks South (of N. Bank)
	23.00	Touched N. E. corner of field
	31.50	Small low wet prairie extending south
	45.00	Timber
	53.20	Wyaconda Br. 40 lks wide, runs S.E.
	56.20	Enter Cr. running E.
	59.70	Left same Cr. running S.E.
	60.00	Cull off south corner of field
	69.00	Brushy prairie
	80.00	Set 123d m. post.
		Bearings. White oak 24 in. dia. S. 25° W. 34 lks
		Land brushy timber poor.
		124th Mile
"	1.50	Prairie
	15.00	Thicket and a few trees
	29.50	Open prairie. House 300 lks S.

Course	Dist.	
		124th Mile continued Var 8° 45' E.
N 88 12 E	32.00	Touched N. W. corner of a field
	80.00	Set 124th mile post in mound
		Land rolling. Timber poor with undergrowth. -
		125th Mile
"	80.00	Set 125th mile post in mound - Rolling prairie. -
		126th Mile
	16.00	Timber
	47.00	Branch 25 lks wide runs S. E.
	52.00	Prairie
	63.50	Thicket of Elk & Jack oak
	71.00	Prairie
	80.00	Set 126th mile post in mound
		Land as usual. -
		127th Mile
"	29.00	Drain runs S. E.
	80.00	Set 127th mile post in mound
		Rolling, prairie. -
		128th Mile
	30.20	Small branch runs S. E. Small grove
	80.00	Set 128th mile post in mound
		Rolling, prairie. -
		129th Mile
"	10.84	Sullivans 125 mile corner
N 87° 15 E	12.00	North front of a grove

Course	Dist.	
		129th Mile continued Var 5° 45' E.
N 5° 30 E	80.00	Set 129th mile post in mound
		Same.
		130th Mile
"	0.00	Set Custom mound same as before Same.
		131st Mile
"	53.50	Small branch runs S.E. Timber on banks
	80.00	Set 131st mile post in mound
		Same.
		132d Mile
"	80.00	Set 132d Mile post in mound. Same.
		133d Mile
"	13.00	Branch 10 lks wide runs S.E. Timber.
	13.50	Sullivans 132d M. corner
N 5° 30 E	80.00	Set 133d Mile post in mound
		Same.
		134 Mile
"	16.50	Field fence nearly N. & S.
	28.40	Left field. Thicket & Sparse timber
	54.50	Small wet prairie
	59.50	Timber Thicket
	61.50	Creek 15 lks north of line
	62.50	Little fork or 10 lks wide runs South.
	67.50	Sullivans line tree
	80.00	Set 134 mile post.

Course	Dist.	
		134th Mile. continued. Var. 8° 45' E.
N 87° 30' E		Burr oak 10 in dia. N. 55° E. 6 lks
	Bearings	Hickory, 14 " S 45° E 7 "
		Land good Timber poor. Some undergrowth. –
		135th Mile
N. 88° E.	25.00	Brushy prairie
	46.10	Field fence S 45° Thicket Field is waste ground
	57.50	Left field. Thicket
	58.00	House 250 lks S. (Circle)
	60.85	Small branch runs S. Brushy prairie.
	62.00	Road to Keosauqua N. & S.
	80.00	Set 135° mile post in mound
		Prairie with brush and thickets. –
		136th Mile
	5.00	Road to Farmington a little N. of E.
	11.50	Touched N. W. corner of a field in a lane
	12.75	Touched S E corner of another field Prairie
	60.00	N. E. corner of a field 1300 South
	80.00	Set 136° mile post in mound.
		Rolling prairie. –
		137th Mile
	22.00	Road to Farmington E. N. E.
	60.00	Brushy barrens
	80.00	Set 137° mile post in mound.
		Same. –

Course	Dist	
		138th Mile. Var. 8° 45' E.
N. 88° E.	27.50	Prairie
	32.00	A small drain runs N. W.
	42.00	A field fence N. & S.
	71.60	Left field fence N. & S. Prairie
	80.00	Set 138th mile post in mound.
		Same. –
		139th Mile
	1.00	Timber
	25.00	Small stream runs north
	28.50	Fence
	66.00	Road N. E. & S. W.
	80.00	Set 139th mile post in mound
		Rather level. Dº oak...
		140th Mile
	6.50	Sparse timber and barrens
	14.83	Sullivans 139th mile corner
N. 85° 25' E.	75.00	Heavy timber
	80.00	Set cast iron monument facing as before
		Sand rolling. Timber blk & co. oak, hickory &
		dense undergrowth of same, with crab &c. –
		141st Mile
	14.54	Sullivans 140th mile corner
N. 15° 30' E.	35.76	Big Fox river se this runs a little east of south
	49.54	Same " north

Friday January 3d 1851 continued.

Course	Dist.	141st Mile continued - Var. 8° 45' E.
N. 87° 30 E	56.50	Big Fox river 50 lks runs E. S. E.
	59.25	Same " North
	77.00	Entie river " S. E.
	80.00	Left same & set 141st M. post on the Bank.
		Bearings { Buck 22 in dia. N. 55° E. 128 lks Elm 24 " " S. 15° W. 55 "
		Land on river level other same as last. -
		142d Mile
"	8.20	Fox river runs south
	13.85	Sullivans 141 mile corner
N. 88° E.	23.00	Fox river runs north.
	28.00	Same " South
	38.00	Entie river " East
	40.70	Left " " S. E.
	42.00	Prairie
	75.00	Timber - Upland
	80.00	Set 142d Mile post.
		Bearings { Blk oak 30 in dia. N. 85° E. 115 lks " " 30 " " South 69 "
		Land level. Prairie - Timber poor - Brush underwood
		143d Mile
"	49.50	Road to Churchville runs S. E.
	80.00	Set 143d mile post in mound (S. the last)
		This is exceeding Brushy South oak &c. -

Course	Dist	
		144th Mile. Var 3° 45' E
N 85° E.	11.80	Sullivans 143d mile corner
N 87 15' E.	8.00	Set 144th mile post
		Bearings } White oak 10 in dia S 10° W. 28 lks " " 10 " " N 87° E. 81 "
		This mile is brushy barrens. –
		145th Mile
"	2.50	Prairie Barrens
	42.00	Brushy barrens
	80.00	Set 145th mile post in brush
		Bearings } Burr oak 14 in dia. South 75 lks " " 18 " " North 34 "
		Barrens. –
		146th Mile
"	12.00	Sullivans 145th mile corner
N 87° E	27.50	Prairie
	40.50	Touched N W corner of a field. Above runs parallel with it 25 lks north of the line.
	57.50	House 50 lks north (Wm Hallon)
	67.50	Lane turns south. Field fence N 75
	74.00	Left field fence N 85 Prairie
	80.00	Set 146th mile post in mound
		Land as before

Friday, January 3d 1851. continued

Course	Dist.	
		147th Mile. Var. 8° 45' E.
N. 85° 38' E.	12.00	Thicket
	42.00	Prairie
	69.00	Thicket
	80.00	Set 147° mile post in thicket.
		Brings. Red oak 20 in. dia. S. 46° E. 256 lks.
		Barrens. –
		148° Mile.
	3.00	Branch 6 lks wide runs north
	36.00	Prairie
	58.50	Field fence N. & S.
	61.00	Road to Churchville N. & S.
	80.00	Set 148° mile post in a field
		Prairie with bushy barrens. –
		149° Mile.
	3.90	Left field fence N. & S.
	34.00	Bush and Timber
	57.00	Road N. & S.
	80.00	Set 149° post in edge of a small prairie
		Brings. Burr oak 12 in. dia. S. 14° E. 172 lks.
		Land good. Timber indifferent Burr oak, oak hickory, elm &c. with a dense undergrowth. –

Course Dist. 150th Mile. Var. 8° 45' E.

N 87° 38' E. 3.50 Timber

50.00 Set 150th Mile post.

Bearings } White oak 10 in. diam. N. 2° W. 90 lks
" " 20 " " S 80° E. 90 "

Land broken. 2d rate. Timber wh. & blk oak hickory, &c. Underbrush. —

151st Mile.

4.90 A small saltpetre cave noted by Sullivan

41.50 River bottom

51.00 Set a cast iron monument on the bank of the Des Moines river, with the word "State Line" facing the west, and the word "Missouri" facing the south and the word "Iowa" facing the north.

51.80 Sullivan's terminus on the lower bank found by one witness tree still standing. River bottom rich. Timber white and blk oak, hickory, lind, elm &c.

Sept 18 1830

Keokuk Sept 30 1830

We certify the foregoing to be the correct

field notes of the survey of the boundary between Iowa and Missouri as run by us.

R. Walker
Surveyor on the part of Missouri.
Wm Dewey,
Surveyor on the part of Iowa."

And the report of the Hon Robt W. Wells and Henry, H. Hendershott, which is above referred to, and which was made to the last term of this court is as follows:

"To the Honorable the Supreme Court of the United States

The undersigned appointed by this hon court, commissioners in the above cases to establish the boundary line between the States of Missouri and Iowa, respectfully report that, upon being furnished with copies of the decree, they, in compliance therewith, addressed letters to the chief magistrates of those States through their Secretaries of State, respectfully requesting the co operation and assistance of the State authorities in the performance of the duties imposed on the commissioners by said decree: and they received assurances in answer to their letters, of all the aid and assistance within their power.

The governor of the State of Missouri consented to consider an appropriation of two thousand dollars made by the Genl assembly, for the purpose of conducting

the suits as applicable to the establishment of the boundary by the commissioners: and agreed to place that sum at their disposal for that object.

The Governor of the State of Iowa entertained the opinion, it is understood, that no appropriation had been made by the Legislature of that state, applicable to the survey of the boundary, but undertook to obtain the necessary funds from other sources: and, as the undersigned are advised, obtained them but the commissioners were not informed of this until about the 25th of October last. Then too late to procure the necessary assistants, fit out an expedition timed to the place of commencing operations and complete the work in the field, before the weather would in all probability, become too inclement in the vast and high prairies through which the line will pass.

As the grass in the prairies is burned in October, there would also be some difficulty after that, in procuring forrender for the teams necessary for the transportation of the baggage, provisions and instruments.

For these reasons, and others with which it is unnecessary to trouble the court, the commissioners resolved not to attempt the work in the field, until

the opening of the Spring.

The Commissioners have procured all the monuments necessary for the line. Three are of the size and description directed in the decree. Nineteen other cast iron monuments, six of which are four feet long, eight inches square at the base and five inches square at the top, to be placed at intervals of thirty miles; and thirteen of which are seven inches square at the base and four inches square at the top, and four feet long. These nineteen monuments each has the word "Missouri" on one side and "Iowa" or the opposite side and the word "Boundary" on the other opposite sides, strongly cast into the metal. All the monuments are cast solid, and will weigh about 13 cwt lbs and cost three cents per pound.

A drawing of the largest sized monument is annexed. The others are similar in form except as herein before mentioned.

All of which is most respectfully submitted

W. B. Wonderschell

Nov. 1849 R. W. Wells."

And said reports not having been excepted to by either of the parties they are therefore respectively confirmed and adopted by this Court.

From said reports it appears that the old north west corner of the Indian boundary line made by John C. Sullivan in the year 1816 (and referred to in our former decree) is found to be at forty degrees thirty four minutes and forty seconds of north latitude, and at about ninety four degrees thirty minutes of west longitude from Greenwich: that at said "north west corner" was planted a large post ten

monument weighing between fifteen and sixteen hundred pounds, four feet six inches long, squaring twelve inches at its base and eight inches at its top. This monument is deeply and legibly, marked with the words (Strongly cast into the iron) "Missouri" on its south side and "Iowa" on its north side, and "State Line" on the east.

And this court doth adjudge and decree that said monument doth mark and witness the true north west corner of the Indian boundary lines as run by John C. Sullivan in 1816 And the precise corner is hereby established and declared to be in the centre of the top of said monument.

Said reports further show that from the monument a line was run due west, on a parallel of latitude to the eastern bank of the Missouri River; which line appears by the field notes accompanying the reports to be sixty miles and sixty one chains in length

And it further appears by the reports and field notes, that the commissioners caused to be planted cast iron pillars in the line running west from the old north west corner, at intervals of ten miles apart, with the word "Boundary", cast in the iron, on the east side and on the west side of said pillars, and the word "Iowa" facing on the north; and the words "Missouri" facing on the south. That in running west,

one such pillar was planted at the end of ten miles from the old north west corner; another at the end of twenty miles, a third at the end of thirty miles, a fourth at the end of forty miles, and a fifth at the end of fifty miles. And at the end of sixty miles was planted a monument similar to that erected at the old north west corner marked "Missouri" on its south side, "Iowa" on its north side, and "State line" on the east. This monument stands sixty one chains east of the eastern bank of the Missouri river on firm ground; the bottom lands beyond being soft and subject to overflow, for which reason the monument was planted so far east of the river. From this last monument the line runs due west on a parallel of latitude through a cottonwood tree thirty inches in diameter, notched on the east and west sides and marked with the letter "I" on the north and the letter "M" on the south. And on the bank of the Missouri river, sixty one chains west of the iron monument last planted, a wooden post is set in the ground, with two cottonwood pointers one of ten inches diameter standing S 65° E 6 links and the other at N 20° W 12 links from the wooden post. And said line having been run and marked according to our former survey, it is therefore now adjudged and decreed, that the true and proper boundary,

line between the States of Missouri and Iowa, extending west from the centre of the monument standing, at Sullivans old north west corner, runs through the centre of the five iron pillars and the monument near the Missouri river, and through the cottonwood tree above described: and through the centre of the wooden post planted by the commissioners on the eastern bank of the river, and then due west on a parallel of latitude to the middle of the Missouri river.

And it further appears from the report of said commissioners that pursuant to our former decree they had ascertained and remarked Sullivans line as run and marked by him in 1816 extending eastwardly, from the old "North west corner" above described and established.

Sullivans line as run and marked in 1816 from said corner east to the Des Moines river, was found not to be a due east line: but that more or less northing should have been made in the old line. Nor is it a straight line, as sudden deviations amounting to from one to three degrees frequently occur; and it rarely happens that any two consecutive miles pursue the same direction.

It also appears that if the whole line was reduced throughout to a straight line, its southing would be about

two degrees from a due east line.

The length of this line is one hundred and fifty miles fifty one chains and eight links from the old north west corner to the western bank of the Des Moines river.

At the end of each intermediate space of ten miles on bearing Sullivans line from the old north west corner eastwardly, east iron pillars were planted, of a similar description to those erected on the western part of the line between the old north west corner and the monument near the Mississippi river. These pillars were planted in Sullivans line as found at the particular points; but as the line was bending, in the ten mile spaces between the pillars it was found necessary to erect wooden posts at the termination of each mile in order to mark the line with more accuracy. On the prairies the mile posts are marked with the letter "E.S." facing the east, the letter "S" facing the north and the letter "M" facing the south; and the number of the mile is marked on the west face of the post. Where timber exists the number of the mile is marked on witness trees or pointers with the letter appropriate to each state, there being one tree marked on each side of the line, wherever it was possible so to do

The foot of each witness tree is marked with the letters B.L.

In all cases where posts are set in mounds the fact is invariably, seven links west to designate it from other surveys.

At the end of the one hundred and fiftieth mile no iron pillar was planted, because at fifty six chains west of this point the Des Moines river was reached, and there, according to our former decree, a large monument was planted of similar description to that placed at the old north west corner, with the words "State line" facing the west, the word "Missouri" facing the south, and the word "Iowa" facing the north.

And the re-marking of Sullivans line as above set forth partly, with wooden posts at the termination of each mile, having been submitted to the counsel of the parties it was by them deemed sufficient, because the public surveys of the lands of the United States are to be governed and closed on said line as run by the commissioners; and therefore private titles will be established on both sides, the State line being the dividing boundary of such private rights. And in these views of the counsel the court concurs. It is therefore adjudged and decreed that Sullivans

line is established to run through the wooden mile posts and the cast iron pillars planted ten miles apart on said line: and that the true and proper dividing line between the States of Missouri and Iowa east of the monument erected at the old north west corner, begins at the centre of said monument and runs eastwardly (southing about five degrees of a true east line) through the centre of each wooden post and iron pillar to the centre of the monument erected on the bank of the Des Moines river. And it is further adjudged and decreed that a straight line from one mile post to another, and from a mile post to a pillar; and from the last mile post to the monument on the bank of the Des Moines river, is the true and proper line: and that such straight lines shall conclude all other marks.

And it is further adjudged and decreed that a line extended north, eighty seven degrees forty eight minutes east, from the centre of the monument erected on the bank of the Des Moines river to the middle of said river, is the true and proper boundary line between the States of Missouri and Iowa west of said monument.

And this court having had submitted

to its consideration what amount of compensation should be allowed to the different Commissioners and to the surveyors employed by them for services performed in running, and marking, the line in controversy: and also the amount of expenses incurred in performing the duties imposed on said Commissioners by our former decree; and these matter having been referred to the clerk of the court to ascertain the proper compensation and charges, and he having reported thereon, and also on other costs and charges incident to the suit. And said report not being excepted to is in all things confirmed and which report is in the words and figures following, to wit:

To the Honorable Chief Justice and Associate Justices of the Supreme Court of the United States.

Pursuant to an order of this Honorable court made on the 13th instant in the case of the State of Missouri and the State of Iowa now pending on Bill and Cross Bill. The undersigned, after a careful examination of witnesses and all the sources of information within his reach, respectfully reports:

1. That the $5. per diem which the Commissioners agreed to pay each of the surveyors in the field, is a fair and reasonable compensation for their labors.

2. That $10 per day to each of the three Commis-

sioners while engaged on this duty is a fair and reasonable compensation for their services and that a further per diem of $3 to each of the two commissioners engaged in the field would be a reasonable and proper allowance on account of their personal expenses.

2. That the statement of the expenditures by the commissioners and of their purchases appears to be very moderate and reasonable.

4. That the whole expense of the survey amounted to $10.880 41/100.

5 That each of the said states advanced $5000.00.

6. That the Commissioners realized from sales of camp furniture $13.15.

7. That the instruments purchased by the Commissioners for the survey (which cost $247 22/100) have been retained by them for safe keeping subject to the order of this court.

8. That the fees now due to the clerk of this court and up to this term by both parties in this case amount to $48.67.

Lastly. That in a detailed account stated upon the preceding bases and heads of expenditure each of the said states is charged with $2457 76/100, being a moiety of the balance ($10.167 51) due on the

survey, and a moiety of the fees ($45.67) now due the clerk of this court.

All of which is respectfully submitted by

Wm Thos Carroll

17 Dec. 1850. Clerk of the Supreme Court N. Y."

"The States of Missouri and Iowa in account with the adjustment of the boundary line between them — Dr.

To 22 Cast iron monuments	396	95
" Freight. transportation & expenses on same	246	40
" Camp furniture, provisions, expenses in going to and returning from the line, and upon the line, postages, stationery, hire of horses, expenses in going to and returning from Iowa city, Jefferson city and St Louis	836	93
" Wages to hands in the field	1718	92
" Wm Dewey, surveyor, for 184 days, at $5 per day	1840	00
" Robt Walker, surveyor, for 183 days, at $8 per day	1464	00
" Robert W. Wells Commissioner for 15 days, at $10 per day.	150	00
" William G. Minor Commissioner, for 177 days, at $12 per day	2124	00
" Henry D. Vanderbeck Commissioner for 187 days, at $12 per day	2244	00

To Sextant Barometer & Thermometer Solar compass and other instruments necessary for the survey -	247	22
" Fees now due the clerk in the case pending in Supreme Court U.S.	48.	67
	1672	89

Contra 67

By cash received from State of Missouri	2000	00
" cash received from State of Iowa	2000	00
" Proceeds from sale of camp equipage	12.	15
" Balance of which $3.457.96/c is due by the State of Missouri and $3.457.96/c is due by the State of Iowa.	6915	92
	10372	07

And it appearing to the court here, that there will be due to the clerk of this court for the duties devolved on him by this decree and for the services performed by him at this term the further sum of sixty three dollars and eight cents in addition to the forty eight dollars and sixty seven cents stated in his report to be now due him. And it also appearing to the court that the said clerk

should be allowed for making his report, for carrying on the correspondence incident to this cause and paying the expense thereof; and also in consideration of any future service to be performed by him in the progress of this cause, the further sum of fifty dollars. It is thereupon ordered and decreed that said Commissioners Henderschott and Miner do pay to the clerk of this court in full discharge of all costs and charges that have now accrued or that may hereafter accrue for any service done or to be performed by the said clerk in the progress of this cause the sum of $162 $\frac{27}{100}$ out of the first moneys received by them under this decree.

And it appearing that certain advances had been made by the States of Missouri and Iowa respectively, to the commissioners, and said advances having been credited: it now appears that the State of Missouri is bound to pay the further sum of three thousand five hundred and fourteen $\frac{76}{100}$ dollars. And that the State of Iowa is bound to pay the further sum of three thousand five hundred and fourteen $\frac{76}{100}$ dollars. of the charges and costs of the controversy.

And it is ordered and decreed that the State of Missouri pay over the said sum of $3514.76 and that the State of Iowa pay over the said sum

of $334.70 to the Commissioners Henry W. Kendershall and William F. Heiner in full and full discharge of their services respectively, of said costs and charges.

And it is further ordered and adjudged that said Commissioners receive the several sums of money, and distribute and pay over the same to those entitled thereto according to the report of the clerk of this court.

And it also appearing, that certain instruments purchased by the said Commissioners are retained by them subject to the order of this court it is further ordered that the Commissioners dispose of the said instruments at such times and places and on such terms as to them may seem most advantageous for the interests of the parties to this suit: and that they pay the proceeds of the sales into the Treasuries of the said States of Missouri and Iowa respectively; that is to say, one half of the proceeds into each Treasury, and take receipts from the proper officers for the moneys paid.

And it is further ordered that said Commissioners Kendershall and Heiner report to the next term of this court the manner in which they have executed the duties hereby imposed upon them: and to which end this cause is kept open.

And it is ordered that the clerk of this court do forthwith transmit to his Excellency the Governor of the State of Iowa a copy of this decree (including the reports of the Commissioners, surveyors and clerk. together with a copy of the field notes of said surveyors). duly authenticated under the seal of this court.

And it is further ordered that a similar copy in all respects be by said clerk forwarded to his Excellency, the Governor of the State of Missouri

And it is further ordered that the clerk forward a copy to each of said Commissioners Hendershott and Milner of the order referring the matter of costs and charges; the clerks report thereon, and so much of the foregoing decree as respects the costs and charges for the guidance of said Commissioners in the performance of their duties in this respect. —

The State of Pennsylvania vs' Comp't The Wheeling & Belmont Bridge Company Et al.	It is now here ordered by the court that the argument and consideration of the motion of respondents counsel filed 31st

ultimo be and the same is hereby postponed until after the Commissioner shall have made and filed his report.

The Washington George Town & Alexandria Steampacket Company vs. Frederick E. Sickles Jas.	Jeff in Er	The argument of this cause was continued by Messrs Wm. G. Jones & Bradley for the defendants in error and concluded by Mr Lawrence for plaintiffs in error.
42		
The Jeansville Manufacturing Company - vs. Michael Welch	Jeff in Er	This cause was submitted to the court on the record and printed brief by Mr Butterworth for the plaintiff in error.
43		
The United States vs. James A Emmet Jas	Jeff in Er	This cause was submitted to the court on the record and printed briefs by Mr Attorney General Cushing for the plaintiffs in error and Gen. Cocke for the defendants in error.
44		

Proclamation being made the court is adjourned until Monday morning at Eleven O'Clock.

Monday, January 6th 1851.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley,	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Southerden Attorney General. It is ordered that H H Brackridge Esquire of Louisiana be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. Andrew Ewing, It is ordered that W. L. Hunter Esquire, of Ohio, be admitted to practice as an attorney, and counsellor of this court and he was sworn accordingly.—

Jacob Strader. James Gorman & John Armstrong plffs in Er vs. Christopher Graham	26.	In error to the court of appeals for the State of Kentucky.

This cause came on to be heard on the transcript of the record from the court of appeals for the State of Kentucky and was argued by counsel. On consideration whereof. it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed for the want of jurisdiction.—

Per Mr Chief Justice Taney.—

46	The United States. Appellants vs The estate of Philadelphia & New Orleans	On motion of Messrs Soulé & Strawbridge of counsel for the appellees and with the assent of Mr Attorney General Caillender of counsel for the appellants, it is now here ordered by the court that these causes be and they are hereby set down for argument this day week the 13th instant next after the argument of No 228.
47	The United States. Appellants vs Thomas Callenders heirs	
52	The United States. Appellants vs Louise Livingston Sal.	
53	The United States. Appellants vs Henry Turners heirs	
45	The United States. Appellants vs One box of specie. B. Guillon Sal., claimants.	This cause was argued by Mr Attorney General Caillender for the appellants and by Mr Soulé for the appellees.

Samuel W. Oakey-pelfin &c. vs' John H Bennett administrator of William Hall Dec.	The argument of this cause was commenced by Mr A C Hall for the plaintiff in error and continued by Mr Key, Rogers for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Tuesday January 4th 1831.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice.
	John McLean	Associate Justices
	James M. Wayne	
	John Catron	
	John McKinley	
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier.	
	Richard Wallach Esquire	Marshal.
	William Thomas Carroll	Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Porter it is ordered that Hamilton Hincks Esquire of Pennsylvania be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.-

30 John McNulty Piff in Er
vs
John Bally Robert Shaw.
Daniel Mann & Thomas
G. Yeates

In error to the Supreme
Court of the Territory of
Wisconsin.

This cause came on to be heard
on the transcript of the record from the Supreme
Court of the Territory of Wisconsin and was argued by
counsel. On consideration whereof, it is ordered and
adjudged by this court that this writ of error be
and the same is hereby abated.—

per Mr Justice Nelson.

29 Sylvester M. Foster William
Kendall, William Nicholas,
and William T. Phillips.
vs Jeffs in Er.
Charles Bracken.

In error to the Supreme
Court of the Territory
of Wisconsin

This cause came on to be
heard on the transcript of the record from the Supreme
Court of the Territory of Wisconsin and was argued
by counsel. On consideration whereof, it is now here
ordered and adjudged by this court that this writ

of error be and the same is hereby abated.

Pr. Mr Justice Nelson. -

Isaac Vanderpoel Plff in Er. vs. Joshua B. Brant.	In error to the circuit court of the United States for the District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit court of the United States for the District of Missouri and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that this cause be and the same is hereby affirmed with costs.

Pr Mr Justice Catron. -

Thomas Vanderver & Thomas H. Calloway - Plffs in Er. vs. John Doe lessee of the State of Tennessee.	In error to the Supreme court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On

consideration whereof. it is now here ordered & adjudged by this court that this cause be and the same is hereby dismissed for the want of jurisdiction

Per Mr Chief Justice Taney. —

Dissenting-Messrs Justices Woodbury. McLean. Wayne and McKinley. -

45.	The United States - Appellants vs The cities of Philadelphia & New Orleans	It is now here ordered by the court that these causes be set down for argument on next Monday week the 20th instant.
49.	The United States - Appellants vs Thomas Callender's heirs	
52.	The United States - Appellants vs Louise Livingston &al	
53.	The United States - Appellants vs Henry Turner's heirs.	

Alexander G. Preston Pet'r in Er vs Charles Bracken	Mr Walker of counsel for the defendant in error moved the court to direct the clerk to what court the mandate or other process prescribed by the 43d rule of court, should be addressed. On consideration whereof, it is now here ordered by the court that the clerk do not issue any mandate or other process in this case, but only a certified copy of the judgment this day rendered in this cause.

John Mc Nully, Pltff in Er vs John Bally, Dft.	Mr Walker of counsel for the defendants in error moved the court to direct the clerk to what court the mandate or other process prescribed by the 43 rule of this court, should be addressed. On consideration whereof it is now here ordered by the court that the clerk do not issue any mandate or other process in this case, but only a certified copy of the judgment this day rendered in this cause. –

46.	Samuel A. Caby plff in Er vs John M. Bennett admr of William Hall dcd	The argument of this cause was continued by Mr Rogers and concluded by Mr C. E. Stewart for the defendants in error:
47	Evariste Blanc - plff in Er vs George W. Lafayette & al.	This cause was argued by Mr Bullard for the plaintiff in error.
50	John B Butler & al - plff in Er vs The Commonwealth of Penn- sylvania.	The argument of this cause was commenced by Mr J. M. Porter for the plaintiffs in error.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Wednesday, January 2nd 1841.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	Associate Justices
	James M. Wayne	
	John McKinley	
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the court is opened.

James H. Wilson Appl. vs George A Sandford & Robert E. Musgrove.	On appeal from the Circuit court of the United States for the District of Louisiana.

35.

This cause came on to be heard on the transcript of the record from the Circuit court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof

it is now here ordered, adjudged and decreed by this court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr Chief Justice Taney.

	Peter Hogg and Hercules M Clelamater. Pffs in Er vs John B. Emerson	On motion of Mr Sellers of counsel for the defendant in error. it is now here ordered by the court that the clerk may issue a

20 mandate in this case forthwith, and without waiting for the end of the present term of this court.

	John B Butler for Pffs in Er vs. The Commonwealth of Pennsylvania	The argument of this cause was continued by Mr Porter for the

30 plaintiffs in error. by Mr Alricks for the defendant in error and concluded by Mr Porter for the plaintiffs in error.

	James McCoy Appellant vs Zachariah Rhodes Jr	This cause was submitted

31 to the consideration of the court on the record and printed argument by Mr Butterworth on behalf of the appellant.

	Peyton Walker plff in Er	This cause was argued by
54	vs	Mr Walker for the plaintiff
	The United States	in error and by Mr Attorney
		General Crittenden for the
		defendants in error.

	Penelope McNeil plff in Er.	This cause was submitted
55	vs	to the consideration of the
	Josephine M. Armour	court on the record and

printed arguments by Mr. Fullerworth on behalf of the plaintiff in error and by Mr Benjamin on behalf of the defendant in error.

Proclamation being made the court is adjourned until tomorrow morning, at eleven o'clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the court is opened

28

Charles F. Taylor and Leonard Grun. Jr. Pltffs in Er vs Benjamin L. Wilder	In error to the Circuit court of the United States for the southern district of New York.

This cause came on to be heard on the transcript of the record from the

circuit court of the United States for the Southern district of New York and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

per Mr Chief Justice Taney.

Dissentient, Mssrs Justices McLean Daniel & Nelson.

John Henderson plff in Er vs Henry C. Morton	In error to the Circuit Court of the United States for the eastern district of Louisiana.

Jel

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the eastern district of Louisiana and on the motion of Mr Henderson stating that the matters in controversy had been agreed and settled between the parties, it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed with costs.

per Mr Chief Justice Taney.

Rule No 58.

Ordered that when a case is taken up for trial upon the regular call of the docket and argued orally in behalf of only one of the parties. No printed argument will be received unless it is filed before the oral argument begins. And the Court will proceed to consider and decide the case upon the ex parte argument.

Chancery Rule

Ordered that the fortieth rule heretofore adopted and promulgated by this court as one of the rules of practice in suits in Equity in the Circuit Courts of the United States and the same is hereby repealed and annulled. And it shall not hereafter be necessary to interrogate a defendant specially, and particularly, upon any statement in the bill unless the complainant desires so to do so, to obtain a discovery.

Admiralty Rules.

Ordered that the following supplemental rules be added to the rules heretofore adopted by this court for regulating proceedings in admiralty.

In all suits in personam where a simple warrant of arrest issues and is executed, bail

shall be taken by the Marshal and the court in those cases only in which it is required by the laws of the state. where an arrest is made upon similar or analagous process issuing from the state courts. And imprisonment for debt on process issuing out of the admirally court is abolished in all cases where by the laws of the state in which the court is held imprisonment for debt has been or shall be hereafter abolished upon similar or analagous process issuing from a state court.

The 27th rule shall not apply to cases where the sum or value in dispute does not exceed fifty dollars exclusive of costs. unless the District Court shall be of opinion that the proceedings prescribed by that rule are necessary for the purposes of justice in the case before the court.

All rules and parts of rules heretofore adopted inconsistent with this order are hereby repealed and annulled.

It is further ordered that these rules be published in the next volume of the reports of the decisions of this court. and that the clerk cause them to be forthwith printed and transmitted to the several District Courts.-

Richard C. Stockton Appt vs Joseph C. Ford	The argument of this cause was commenced by Mr V. C. Howard for the appellant and continued by Mr Webb for the appellee.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Friday, January 16 1831.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable John McLean
James Mc. Kayne
John Catron
John McKinley
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Robert C. Grier
} Associate Justices

Richard Wallach Esqure Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Andrew Ewing, it is ordered that H. Leigh Van Dyke Esqure of Tennessee, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

196	Jeckn Ferre & Company, vs. Appl. John B. Montgomery and John B. Montgomery, vs. Appl. Jeeker. Ferre & Company	These causes were submitted to the consideration of the court on the record and printed arguments by Mr Moore for Jeeker. Ferre & Co and by Messrs Key and Johnson for Montgomery.
197		
36	Richard C. Steeleton vs. Appl. James C. Ford	The argument of this cause was concluded by Mr Walker for the Appellant.
57	The United States vs. Jeffries Ex. Jehiel Brooks & al	The argument of this cause was commenced by Mr Attorney General Wallace for the plaintiffs in error.

Proclamation being made the court is adjourned until Monday morning, at Eleven O'Clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James Mc. Wayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury Jr	
	Robert C. Grier.	

Richard Wallach Esquire Marshal.

William Thomas Carroll Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Whitcomb it is ordered that Samuel Sudah Esquire of Indiana be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.-

The State of Florida. Compt
vs.
The State of Georgia

Bill in chancery

Messrs Johnson and Westcott solicitors for the complainant moved the court for leave to file the Bill of Complaint in this cause and for a writ of subpoena or such process as to the court may seem proper. Whereupon this court not being now here sufficiently advised of and concerning, what order to render in the premises took time to consider. –

57

The United States Plff in Er
vs.
Jehiel Brooks & al.

The argument of this cause was continued by Mr Walker for the defendant in error and concluded by Mr Attorney General Mcllenden for the plaintiffs in error. –

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock. –

Thursday, January 14th 1851.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach, Esquire, Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. Badger, it is ordered that T. Madison Cuy Esquire of Mississippi be admitted to practice as an attorney and counsellor of the court and he was sworn accordingly. —

The Louisville Manufacturing Company pltff in Er vs Michael Welch	In error to the circuit court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said circuit court with directions to award a venire facias de novo. -

Pr. Mr Justice Nelson.

The State of Florida. Compt vs The State of Georgia.	Bill in Chancery.

On consideration of the motion made in this case yesterday by the Solicitors for the complainants. it is now here ordered by the court that this bill of complaint be filed and that process

of subpana be and the same is hereby awarded as prayed for by the complainant and that said process issue against "The State of Georgia".

228. Philip Finch & (U.S.) vs Plff in Er William Thompson et al

The argument of this cause was commenced by Mr Crittenden Attorney General, for the plaintiff in error and continued by Mr Sherman for the defendants in error. –

Proclamation being made the court is adjourned until tomorrow morning, at Eleven O'Clock.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice.
	John McLean	Associate Justices
	James M. Wayne	
	John Catron	
	John McKinley	
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the court is opened.

23. Charles Barnard Abel Adams, George M. Barnard & Charles Parker plaintiffs in error (vs) Joseph Adams, Andrew H. Bennett & Joseph Fletcher

In error to the circuit court of the United States for the southern district of New York.

This cause came

on to be heard on the transcript of the record from the Circuit court of the United States for the Southern district of New York and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

(Per Mr Justice Grier ——

Dissenting, - Mr Justice Daniel.

The Town of East Hartford		In error to the Su-
36	(vs)	preme court of errors
The Hartford Bridge Company)		within and for the
		State of Connecticut.

This cause came on to be heard on the transcript of the record from the Supreme court of errors within and for the State of Connecticut and was argued by counsel On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Supreme court of errors in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Woodbury, —

136	The Town of East Hartford (vs). Pltff in Er. The Hartford Bridge Company.	In error to the Supreme Court of errors within & for the State of Connecticut.

This cause came on to be heard on the transcript of the record from the Supreme Court of errors within and for the State of Connecticut and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court of Errors in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

Pr. Mr. Justice Woodbury.

37	James L. Palmer (vs) Pltff. in Er. George Pleindexter	In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this court that the judgment of the said Circuit court in this cause be and the same is

hereby reversed with costs and that this cause be and the same is hereby remanded to the said circuit court for further proceedings to be had therein in conformity to the opinion of this court.

Per Mr Justice Daniel.

Hugh Maxwell (U.S. plaintiff in error)

vs.

Nathaniel L. Griswold, George Griswold, George W. Gray and George Griswold Jr.

On motion of Mr. Attorney General Cullenden of counsel for the plaintiff in error suggesting, that the transcript filed in this case omitted the pleadings in the court below and the judgment of said court, and with the assent of Mr. McCulloh of counsel for the defendants in error, it is now here ordered by the court that leave be and the same is hereby granted the parties to amend this record by filing in this court duly certified copies of the pleadings and judgment so as above omitted; that the same be filed forthwith and that when so filed the record ~~the remand~~ thus amended shall be deemed and considered a true and perfect return to the writ of error in this cause.

Per Mr Chief Justice Taney.

237	Hugh Maxwell (Ad) Plff in Er. vs Nathaniel S Griswold & al	The cause was argued by Mr J. C. Mr Cutler for the defendants in error and concluded by Mr Attorney General Crittenden for the plaintiff in error.

238	Philip Grady Jr (Ad) Plff in Er. vs William Thompson & al	The argument of the cause was concluded by Mr Attorney General Crittenden for the plaintiff in error.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Thursday, January 16th 1851.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. Ashmun, it is ordered that B R Curtis Esquire of Massachusetts, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Whiteomb it is ordered that R. T. Barham Esquire of Indiana be admitted to practice as an Attorney and Counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Dallas it is moved that P. F. Clarkson Esquire of Pennsylvania be admitted to practice as an Attorney and Counsellor of this court and he was sworn accordingly,

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José Ingelo Villalobos, Francis Felix Marquis de Fougeres and Maria Rose Appts. vs The United States.	On appeal from the Superior Court for the District of East Florida.

This cause came on to be heard on the transcript of the record from the Superior Court for the District of East Florida and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Superior court in this cause be and the same is hereby affirmed

per Mr Justice Catron.

Thursday January 11 1838. continued

Samuel M Cahey. plff in Er vs. 46. John H Sewall admr of William Hall deceased & John H. Allen.	In error to the District court of the United States for the District of Texas.

This cause came on to be heard on the transcript of the record from the District court of the United States for the District of Texas and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice McLean.

The United States. Appts vs. 55. Jean B. Vauterive Exl.	This cause was argued by Mr Attorney General Crittenden for the appellants.

Merrell M. Robertson Exl vs. 57 Appts. William J. Minor Exl	The argument of this cause was commenced by Mr Bullard for the appellants, continued by Mr J. M. Campbell for the appellees and concluded by Mr Bullard for the appellants.

62	The United States. Jeffs in Er. vs. Thomas L. Morgan & al	This cause was argued by Mr Attorney General Crittenden for the plaintiffs in error.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Friday, January 17th 1851.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James Mc. Wayne	
	John Catron	
	John McKinley,	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury &	
	Robert C. Grier.	

Richard Wallach Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the court is opened.

Ethiel Wheeler &c. plff in Er.
vs
Samuel Norris

Mr Bullard of counsel for the defendant in error moves the court to dismiss this writ of error because the same was not brought within five years after the rendition of the final judgment in the Supreme Court of the State of Louisiana On consideration whereof it is

now here ordered by the court that this motion be and the same is hereby, set down for argument this day week the 24th instant and that the counsel give notice hereof to Mr Walker the counsel for the plaintiff in error.

Hall Nelson (US) vs Plff in Er Wilson Sagow.	Mr Judah of counsel for the defendant in error having in pursuance of the order of this court entered in this cause on a prior day of the present term to wit on Friday the 20th ultimo filed the appearance of Clark S Sagow Carol H Sagow and Elizabeth L Sagow children and devisees of Wilson Sagow the defendant in error whose death was suggested on the day aforesaid now here moves the court to revive this cause in the names of the said children and devisees. On consideration whereof it is now here ordered by this court that the appearance of the said Clark S Sagow Carol H Sagow and Elizabeth L Sagow be entered in this cause and that they be and are hereby made the defendants in error.

Thilas H. Tyler and William L. Pendleton vs. Affts Augustus Devall	On appeal from the Circuit court of the United States for the Eastern District of Louisiana.

Mr Bullard of counsel for the defendant in error having filed and read in open court the following certificate to wit:

"United States of America
Eastern District of Louisiana

Thilas H. Tyler and William L Pendleton vs. Augustus Devall. 1692

Circuit court of the United States Fifth Circuit and Eastern District of Louisiana.

I I. W. Burley clerk of the Circuit court of the United States for the Fifth Circuit and Eastern District of Louisiana do hereby certify that on the 21st day of June A.D. 1830 the defendant Augustus Devall did recover a final decree in equity against the above named complainants in said court in the words and figures following to wit:

Tyler & Pendleton vs. Augustus Devall. 1692

This cause came on to be heard at this term of the court upon pleadings exhibits and proofs and was argued by counsel, and thereupon upon consideration thereof it is ordered

adjudged and decreed that complainants bill be dismissed with costs.

Judgment rendered 14th June 1850.

" Signed 24th June 1850

Theo: H. McCaleb

U. S. Judge.

And on the 3rd day of June 1850 an appeal was duly taken and allowed to the said complainants returnable to the December Term 1850 of the Supreme Court of the United States All of which appears by the records remaining in my office

Witness my hand and seal of said Court at New Orleans this 4th day of December A.D. 1850

J. W. Hurley Clerk."

"I Theodore H. McCaleb United States Judge for the Eastern District of Louisiana do hereby certify that John W. Hurley whose name is signed to the foregoing certificate as clerk of the Circuit court of the United States for the Fifth Circuit and Eastern District of Louisiana was at the time of signing said certificate, and is now, the clerk of said court. That said certificate is in due form of law and that full faith and credit are due to his official attestations as such clerk

Friday 9 January 17th 1851 Continued

Given under my hand and seal at the City of New Orleans in said District this 9th day of December A.D. 1850.

Thos. H. McCaleb Dist. Judge

and having stated the appellants had altogether failed to file the record of said court in this cause or in any way to prosecute said appeal. Now here moved the court in pursuance of the 43d rule of this court, to have this appeal docketed and dismissed. On consideration whereof it is now here ordered, adjudged and decreed by this court that the appeal from the Circuit court of the United States for the eastern district of Louisiana be and the same is hereby docketed and dismissed with costs and that this cause be and the same is hereby remanded to the said circuit court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

Per Mr Chief Justice Taney.

Chas. A Warner for Appts vs Thomas P. Marler	The argument of this cause was commenced by Mr Slidell for the appellants, continued by Mr J. Wharton for the appellees & concluded by Mr Slidell for the appellants.

61

Proclamation being made the court is adjourned until Monday morning at Eleven O'clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present,

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Henry Woodbury	
	Robert C. Grier	

Richard Wallach Esquire Marshall
William Thomas Carroll Clerk.

Proclamation being made the court is opened.

48

The United States Appellants vs. The cities of Philadelphia & New Orleans	The argument of this cause was commenced by Mr Attorney General Taney for the appellants and continued by Mr Strawbridge for the appellees.

The United States Appts vs Thomas Gallaudet's heirs	The argument of this cause was commenced by Mr Attorney General Crittenden for the appellants and continued by Mr Strawbridge for the appellees.

47

The United States Appts vs Sense Livingston & al	The argument of this cause was commenced by Mr Attorney General Crittenden for the Appellants and continued by Mr Strawbridge for the appellees.

52.

Proclamation being made the court is adjourned until to-morrow morning at 10 o'clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation having been made the court is opened.

On motion first made to the court in this behalf by Mr Clay. it is ordered that James Freer Esquire of New York be admitted to practice as an attorney and counsellor of this court. and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Wood it is ordered that John C. Wright Esquire of New York be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.—

The United States Appellants vs The Exrs of Philadelphia & New Orleans.	The argument of this cause was continued by Mr Soulé for the appellees..
The United States Appts. vs Thomas Callenders heirs	The argument of this cause was continued by Mr Soulé for the appellees.—
The United States Appts vs Louise Livingston Exl.	The argument of this cause was continued by Mr Soulé for the appellees.—
Simon Peter's Exrs Exl. vs Appts Samuel McCleher Exl.	On motion of Mr Finch of counsel for the appellants suggesting the indisposition of his associate Mr Dallas and his consequent inability to argue this case for some days and with the assent of Mr Reed of counsel for the

appellants. it is now here ordered by the court that this cause be and the same is hereby, set down for argument this day week. the 28th instant. -

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'clock. -

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley	Associate Justices
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier.	

Richard Wallach. Esquire. Marshal.

William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Attorney General Cushing it is ordered that Charles B Moore. Esquire of New York be admitted to practice as an attorney and counsellor of this court. and he was sworn accordingly.

Lafon Collier pltff in Er vs. The United States	In error to the District Court of the United States for the Southern District of Florida.

This cause came on to be heard on the transcript of the record from the District court of the United States for the southern district of Florida and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed with damages at the rate of six per centum per annum. —

Per Mr Justice Grier.

The United States pltff in Er vs. James A Bennett William M Price Hay Paul Harris & Alexander D McMurtry	In error to the district court of the United States for the southern district of Mississippi.

This cause came on to be heard on the transcript of the record from the district court of the United States for the southern district of Mississippi and was argued by counsel. On consideration whereof it is now here ordered &

adjudged by this court that this writ of error be and the same is hereby dismissed and that this cause be and the same is hereby remanded to the said District court with directions to proceed therein conformably to the opinion of this court.

Pr. Mr. Justice Nelson.

John M. Butler, Wm. Reynolds & William Chesfield late Board of Canal Commissioners of Pennsylvania - Plffs in Error.

56 (as)

The Commonwealth of Pennsylvania

In error to the Supreme court of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of Pennsylvania and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Pr. Mr. Justice Daniel.

48.	The United States Appellants vs. The ctrs of Philadelphia & New Orleans.	The argument of this cause was concluded by Mr. Attorney General Cullenden for the appts..
49	The United States. Appts vs. Thomas Cullenden's heirs	The argument of this cause was concluded by Mr. Attorney General Cullenden for the Appellants.
52	The United States. Appts. vs. Louise Livingston & al	The argument of this cause was concluded by Mr attorney General Cullenden for the appellants.
53.	The United States.. Appts. vs. Henry Turner's heirs	This cause was submitted to the consideration of the court on the record and printed argument by the Attorney General Cullenden on behalf of the appellants.

Edward C. & John Claimants of the Steamboat Neptune.	The argument of this cause was commenced by Mr Wood for the Appellant. -
63. vs. Appellants	
Zebulon A. Paine Jal.	

Proclamation being made the court is adjourned until tomorrow morning, at Eleven O'Clock.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	Associate Justices
	James M. Wayne	
	John Catron	
	John McKinley,	
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury &	
	Robert C. Grier	

Richard Wallach, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Gillet, it is ordered that Frederick Cunningham Esquire of New York and Chauncey Donaldson Esquire of Pennsylvania, be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly.

36.	Richard C. Stockton Appt. vs James C. Ford.	On appeal from the Circuit court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said circuit court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Nelson.

51.	James C. McCoy Appt. vs Zachariah Rhodes and Rumenda Montgomery his wife.	On appeal from the Circuit court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said circuit court in

this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this court.

Per Mr Justice Catron.

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55. Lindsey McVeil plff in Error &c. vs. Josephine H. Armour. } Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice McLean.

Thursday January 23 1851 continued.

Edward H. & John Claimant of the Steamboat Neptune. vs. Appellant 63. Jebulon & Paine Lab.	The argument of this cause was continued by Mr Wood for the appellant. by Mr Pillich for the appellees and by Mr Wood for the appellant. -

Proclamation being made the court is adjourned until tomorrow morning, at Eleven O'Clock. -

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	Associate Justices
	James M. Wayne	
	John Catron	
	John McKinley	
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury &	
	Robert C. Grier	

Richard Wallach Esquire Marshal
William Thomas Carroll. Clerk.

Proclamation being made the court is opened

Ex parte: In the matter of Henry W. Rhodes. vs The Steamship Galveston &c.	On the motion of R. S. Coxe. Esquire. It is ordered and dismiss under the 43d rule of this court the appeal in this case

from the District Court of the United States for the District of Texas. On consideration of this

motion it is now here ordered by the court that the said motion be and the same is hereby overruled. (vide opinion per Mr Chief Justice Taney.)

80.	Edward Brooks Jeffn Exr vs. Samuel Norris	The motion filed the 17 instant by Mr Bullard to dismiss this writ of error was argued by Mr Bullard in support of and by Mr Wacker in opposition thereto. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.
32.	Joshua Kennedy's Exrs &c. vs. Appts. Sidney E. Collins.	Mr Johnson of counsel for the appellants moved the court for leave to re-argue this cause. On consideration whereof it is now here ordered by the court that said motion be and the same is hereby overruled.
63	Edward Tr. &c. of John Hammond of the steamboat Neptune vs. Appt. Jebulon A. Paine &al.	The argument of this cause was concluded by Mr Wood for the appellants.

16.	William E. Woodruff. plff in Er. vs. Frederick W. Haswell.	The argument of these causes was commenced by A. H. Sawyer for the plaintiff in error.
64	John W Paup Sal. plff in Er. vs. Thomas L Drew as Governor &c.	
65.	James Higgs, Sal. plffs in Er. vs. Thomas L. Drew as Governor &c.	

Proclamation being made the court is adjourned until Monday morning at Eleven O'Clock.

Monday January 27th 1851.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice.
	John McLean	Associate Justices
	James M. Wayne	
	John Catron	
	John McKinley	
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier.	

Richard Wallach Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the court is opened.

On motion first made to the court on this behalf by Mr. Johnson it is ordered that Reuben A. Chapman Esquire of Massachusetts be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly. -

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	Evariste Blanc pff in Er. vs George W. Lafayette and John Hagan.	Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with cost.

Pr. Mr Justice Wayne.

16	William E. Woodruff. pff in Er vs Frederick W. Trapnall.	The argument of these causes was continued by Mr Reverdy Johnson for the plaintiff in error, and submitted on printed argument by Mr Sebastian for the defendants in error.
64	John W. Pauf Sal. pff in Er vs Thomas L. Drew as Governor &c.	
65	James Trigg Sal. pff in Er vs Thomas L. Drew as Governor &c.	

Isaac Pearson Claimant of the Steamboat New Jersey. vs) Appeals. John H. Hobbins.	The argument of this cause was commenced by Mr Van Santvoord for the appellant & continued by Mr Benedict for the appellee.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James Mc. Wayne
John McKinley, Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Benedict it is ordered that S Herman Judd Esquire of the District of Columbia be admitted to practice as an attorney, and counsellor of this court and he was sworn accordingly. –

The Washington Alexandria and Georgetown Steampacket Company vs. Jeff in Er. Sickles and Newman Cook.

In error to the Circuit court of the United States for the District of Columbia holden in and for the County of Washington.

This cause came on to be heard on the transcript of the record from the Circuit court of the United States for the District of Columbia holden in and for the county of Washington and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit court with directions to award a venire facias de novo.

Per Mr Justice Story.

Philip Seely Jr. Jeff in Er.

228. vs.

William Thompson and William Henry Forman merchants and co-partners doing business under the style and firm of Thompson & Forman.

In error to the Circuit court of the United States for the district of Massachusetts.

This cause came

on to be heard on the transcript of the record from the circuit court of the United States for the district of Massachusetts, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

(per Mr Justice Woodbury.)

Hugh Maxwell plff in er.	In error to the
237. vs.	circuit court of the
Nathaniel L. Griswold, George	United States for the
Griswold, George W Griswold, &	southern district of New
George Griswold Jr.	York.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the southern district of New York, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

(per Mr Justice Woodbury.)

57.	The United States plffs in Er vs Ethel Brooks & al.	In error to the circuit court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby affirmed.

Per Mr Justice Wayne.

66.	Isaac Newton claimant of the steamboat New Jersey. vs Appeh. John H. Stebbins.	The cause was further argued by Mr Benedict for the appellee and concluded by Mr Van Santvoord for the Appellant.

Proclamation being made the court is adjourned until tomorrow morning at Eleven Oclock.

Pursuant to adjournment the court met this morning, at the Capitol

Present

The Honorable Roger B. Taney, Chief Justice.
John McLean
James M. Wayne
John Catron
John McKinley, Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury

Richard Wallach, Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened.

On motion first made to the court on this behalf by Mr Potter, it is ordered that Jesse E. Dickey Esquire, of Ohio, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly. —

Merrett M. Robinson and Marguerite his wife. Aurora Fayosse. Fernando Fayosse. and Felicite Fayosse.

57 vs. Appellants.

William F. Miner. James L. Wilkins. and Henry Chetard executors of the last will and testament of, Katharine Miner deceased. Frances Chetard. Katharine L. Wilkins and William F. Miner. _____

On appeal from the circuit court of the United States for the southern district of, Mississippi. _____

This cause came on to be heard on the transcript of the record from the Circuit court of the United States for the southern district of, Mississippi and was argued by counsel On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said circuit court in this cause be and the same is hereby affirmed with costs.

Pr. Mr Justice McLean.

Ethel Brooks. plff in Er.

58. vs.

Samuel Norris

Error to the Supreme court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the

Supreme court of the State of Louisiana and on the motion of Mr A Hullard Esquire of counsel for the appellee to dismiss this writ of error upon the ground that it is barred by the limitation of two years fixed by the act of Congress. And was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed with costs.

Per Mr Chief Justice Taney.

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62. Simon Braly's exr's &c. vs. Samuel M. Cohen &c. Appts

The argument of this cause was commenced by Mr W H Hunt for the appellants and continued by Mr Budd for the appellees.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	John McKinley	Justices
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury	

Richard Wallach, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

45	The United States, Appts. vs. One box of specie Baptiste Guillem, claimant.	On appeal from the Circuit court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the District of Louisiana and was argued by counsel: On consideration whereof

it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit court in this cause be and the same is hereby affirmed.

Jn Mr Chief Justice Taney,

Simon Stralz's exrs &c. vs. Appts 62 Samuel M. Cohen & al	The argument of this cause was continued by Messrs Field and Collins for the appellees.

Proclamation being made the court is adjourned until tomorrow morning, at Eleven O'Clock

Friday, January, 31. 1851.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	John McKinley,	Justices
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury	

Richard Wallach. Esquire Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Wood. it is ordered that Oliver S. Walsted. Esquire. of California be admitted to practice as an attorney and counsellor of this court. and he was sworn accordingly.

57.	Thomas M. League fsiffn &c vs. John W. Young, Surveyor &c. Def.	Mr Wood of counsel for the plaintiff in error moved the court to substitute this case for No 74. in the call of the cases for argument, stating, that he made the motion with the assent of all the counsel in both cases. Whereupon this court not being now here sufficiently advised of, and concerning, what order to render in the premises took time to consider.

68.	The Farmers Bank of Virginia vs.) Appeal. Moses Greve's admr.	Mr Brady of counsel for the appellees moved the court to permit him either to file certain papers as a part of the record or for a writ of certiorari to bring them up. which was opposed by Mr Bullock for the appellants. Whereupon this court not being now here sufficiently advised of and concerning, what order to render in the premises took time to consider.

63	Simeon Drake's exor &c Appt vs Samuel M. Cohen &al.	The argument of this cause was continued by Mr Dallas for the appellees and concluded by Mr Clarkson for the appellants. —

64	Samuel Hall Appt. vs. David McClure	This cause having been called for argument and no counsel appearing, ready to proceed with the same. it is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of court.

65	Charles L. Jones. Appt vs Mason E. Saunders.	This cause having been called for argument and no counsel appearing, ready to proceed with the same, it is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of court. —

Proclamation being made the court is adjourned until Monday morning, at Eleven O'Clock. —

Pursuant to adjournment the court met this morning, at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John M'Lean	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury.	

Richard Wallach Esqr. Marshal
William Thomas Carroll, Clerk

Proclamation being made the court adjourned

On motion first made to the court in this behalf by Mr Peverly Johnson, it is ordered that Coleman Yellott Esquire of Maryland, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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On motion first made to the court in this behalf by Mr George Wood it is ordered that Hiram Ketchum Esquire of New York be admitted to practice as an attorney and counsellor of this

court and he was sworn accordingly.

John Forbes & Jeff'n Er vs John Henshaw & al.	This cause was argued by Mr Fletcher Webster for the plaintiff in error and submitted on a printed argument by Mr Curtis for the defendants in error.

The Baltimore & Susquehanna Railroad Company - Jeff'n Er. vs Alexander Nesbet & al.	The argument of this cause was commenced by Mr Yellott for the plaintiff in error and continued by Mr Brady, Johnson for the defendants in error.

Philip Grady & Jeff'n Er vs. Thompson & Perman.	On the motion of Mr Sherman in behalf of the defendants in error. it is now here ordered by the court that the clerk do forthwith issue a mandate in this case.

237 Hugh Maxwell Jaffw &c. vs. Nathaniel S Prescott Dpt. On the motion of Mr Sherman on behalf of the defendants in error it is now here ordered by the court that the clerk do forthwith issue a mandate in this case.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock

Tuesday, February 4th 1831.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Generall.	Roger B. Taney	Chief Justice
	John McLean	
	James Mc. Kayne	
	John Catron	Associate
	John McKinley	Justices
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury.	

Richard Wallach. Esquire. Marshal

William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

The United States. plffs in error	In error to the
vs	circuit court of the
Thomas Tebbs Morgan. Thomas W.	United States for
Thom. Micajah Courtney. Josiah	the District of
Parker. & the heirs & legal represents.	Louisiana.
tives of John Davenport. deceased.	

This cause came on to be heard on the transcript of the record from the

Circuit court of the United States for the District of Louisiana and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the said Circuit court with directions to award a venire facias de novo.

Per Mr Justice Woodbury

The United States Appts vs. Jean Baptiste Dauterive &c. heirs & representatives of the late Jean Antoine Bernard Dauterive.	On appeal from the District court of the United States for the District of Louisiana.

48.

This cause came on to be heard on the transcript of the record from the District court of the United States for the District of Louisiana and was argued by Counsel. On consideration whereof it is the opinion of this court that the title of the petitioners is null and void. Whereupon it is now here ordered adjudged and decreed by this court that the decree of the said district court in this cause be and the same is hereby reversed and that this cause be and the same is hereby

remanded to the said district court with directions to dismiss the petition of the claimants in this cause.

Pr. Mr Justice Daniel

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68 The Farmers Bank of Virginia vs. Appeal. Moses Greer's admr.

On consideration of the motion made in this cause by the solicitors for the Appellees on a prior day of the present term to wit: on Friday the 31st ultimo. and of the argument of counsel thereupon had as well in support of as against the said motion. it is now here ordered by the court that the supplemental record filed with the said motion shall be considered and is hereby made a part of the record of the case in like manner and with like effect as if the same had been regularly transmitted under a writ of certiorari: and it is also further now here ordered by the court that this cause be and the same is hereby restored to the foot of the docket.

71.	The Baltimore & Susquehanna Railroad Company. pltff in Er. vs. Alexander Nesbit Def.	This cause was further argued by Mr Reverdy Johnson for the defendants in error and concluded by Mr Campbell for the plaintiff in error:-
72.	James O'Neey, pltff in Er. vs. Kelchum, Rogers & Bennet.	The argument of this cause was commenced by Mr for the plaintiff in error and continued by Mr Kelchum for the defendants in error:

Proclamation being made the court is adjourned until tomorrow morning, at Eleven O'Clock. -

Pursuant to adjournment the court met this morning, at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	John McKinley	Justices
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury	

Richard Wallach Esquire Marshal

William Thomas Carroll Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Goodrich, it is ordered that John L. Hayes Esquire of New Hampshire, be admitted to practice as an attorney, and counsellor of this court and he was sworn accordingly.

The United States. Appts.

40. vs.

Etienne Stephens Boisdoré, Laurent Boisdoré, Sidney Boisdoré, Mathilde and Marine Nicolas, widow of, Manuel Fabre Lavergne, Boisdoré, Nicolas, Elise Nicolas, Joseph Manuel De Labarre, Stephen Nicolas De Labarre Real and her husband Christoval Real Louis Dejean, Antoine Boisdoré Dejean, and Moanalle Dejean Pardon and her husband Vincente Pardon, heirs of Louis Boisdoré deceased.

On appeal from the district court of the United States for the southern district of Mississippi.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern district of Mississippi and was argued by counsel. On consideration whereof it is the opinion of this court that the grant of petitioners has no identity, and can not be surveyed, so as to give it boundaries: And 2dly if it could be identified, that no occupation and inhabitation were ever taken according to the terms of the grant and therefore the claim is without equity according to the laws of Spain. Whereupon it is now here ordered, adjudged and decreed by this court that the decree of the said district court in this cause

be and the same is hereby, reversed, and that this cause be and the same is hereby remanded to the said district court with directions to dismiss the petition of the claimants in this cause.

per Mr Justice Catron.—

Dissenting, Mayor Justices McLean Wayne & Mr Kinley,

James C. Peug, plff in Er. vs. Ketchum Hogus & Wenich.	This cause was further argued by Mr Ketchum for the defendants in error and concluded by Mr Coxe for the plaintiff in error.

Erich C. L. Bruner, claimant of the Schooner Fanny, &c. Appt. vs. The United States.	This cause was argued by Mr Attorney General Crittenden for the appellees and submitted on a printed argument by Mr Sherwood for the appellant.

Augusta Co. Montauk & al. Appts. vs. The United States.	On the motion of Mr Madgen of counsel for the appellants and with the assent of Mr Attorney General Crittenden in behalf of the appellees. it is now

Were ordered by the court that this cause be and the same is hereby postponed to the first day of the docket.

Julia P. Helebhis &al vs Miles Greenwood &al	The argument of this cause was commenced by Mr Ewing, for the plaintiffs in error and continued by Mr Chase for the defendants in error.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the Court met this morning, at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice.

John McLean
James M. Kayne
John Catron Associate
John McKinley, Justices
Peter V. Daniel
Samuel Nelson &
Levi Woodbury,

Richard Wallach Esqr. Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

Peter P. Celebhis gal
vs
Moses Greenwood & al.

This cause was further argued by Mr Chase for the defendants in error and concluded by Mr Ewing, for the plaintiffs in error.

76.	Samuel Van Rensselaer vs. John Watts Exrs Appt.	The argument of this cause was commenced by Mr Blunt for the Appellants

Proclamation being made the court is adjourned until tomorrow morning, at Eleven Oclock.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
John Catron
John McKinley
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Associate Justices

Richard Wallach Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr Jordan it is ordered that Mitchell Sanford and Frederick A Cox Esquires of New York be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly.

235.	Smith Hogan use &c pltff in Er vs. Aaron Ross use of W. Patterson	Mr Lee of counsel for the defendants in error moved the court in the instance of Mr Featherston who he stated was indisposed to set down the motion for a Supersedeas in this cause for argument this day week. Whereupon it is now here ordered by the court that the said motion be and the same is hereby set down for argument this day week the 14th instant.

76.	Jeremiah Van Rensselaer vs. Appelt John Wells Exr &c	This cause was further argued by Mr Blunt for the appellant and continued by Messrs Taylor and Wood for the appellees.

Proclamation being made the court is adjourned until Monday morning at Eleven O'Clock.

Monday February 10th 1851.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	John McKinley	Justices
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury	

Richard Wallach Esquire Marshal

William Thomas Carroll Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Webster it is ordered that A.C. Harris Esquire of Ohio H. S. Day Esquire of New York and L. S. Chase Esquire of Wisconsin be admitted to practice as attorneys and counsellors of this court and they severally sworn accordingly.

On motion first made to the court in this behalf by Mr Wood. It is ordered that S Edgar Esquire of New York. be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Jeremiah Van Rensselaer (vs.) Appt. John Walls Exr &c Respt.	This cause was further argued by Mr Wood for the appellees and continued by Mr Webster for the appellant.
67 Samuel Platt Appt. vs David McClure	Mr T. A Tall of counsel for the appellee having suggested the death of David McClure. since the last continuance of this cause. moved the court for leave to make the proper representatives parties. On consideration whereof. it is now here ordered by the court that the leave prayed for be and the same is hereby granted.

Proclamation being made. the court is adjourned until tomorrow morning at Eleven O'Clock.

Tuesday, February, 11th 1851.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne
John Catron
John McKinley, Associate Justices
Peter V. Daniel
Samuel Nelson
Levi Woodbury.

Richard Wallach. Esquire. Marshal
William Thomas Carroll. Clerk.

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Webster it is ordered that Francis B Fogg and R J Meigs Esquires, of Tennessee, be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly.

On motion first made to the court in this behalf by Mr Wood it is ordered that Russell Smith Esquire of New York be admitted to practice as an Attorney and counsellor of this court and he was sworn accordingly.

Samuel H Oldfield vs. pff in Er William H Maxwell	In error to the circuit court of the United States for the district of Maryland.

31

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the district of Maryland, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Wayne.

Ex parte: In the matter of Early Boyd. pff in Er. vs William Scott & William Evans	In error to the district court of the United States for the southern district of Alabama.

Mr Crittenden of counsel for the defendants in

error having filed the following certificate viz.

" The United States of America } In the district court
. Northern District of Alabama } of the United States
for the northern
district of Alabama, at Huntsville.

I Benjamin F. Moore, clerk of the district court of the United States for the northern district of Alabama at Huntsville do hereby certify, that at the term of the district court aforesaid, begun and held at the court house in the town of Huntsville, in said district, on the fourth Monday in November in the year of our Lord one thousand eight hundred and fifty, in a certain cause therein pending, in said court, wherein Eby Boyd was plaintiff, and William Scott and William Greene were defendants judgment was rendered therein in favor of said defendants against said plaintiff for the costs of suit amounting, to the sum of, ——— dollars, and that from the said judgment the said Eby Boyd on the twenty ninth day of November A.D. one thousand eight hundred and fifty prayed and obtained a writ of error to the then next term of the Supreme Court of the United States and on the day last aforesaid entered into bond in the penalty of one thousand dollars with Silas Parsons his security payable to the

said William Leech and William Greene, conditioned that the said Eby Boyd should prosecute the said writ of error to effect and should also pay and satisfy the judgment which shall be rendered in said cause by the Supreme Court of the United States. that then the said obligation should be void. else remain in full force and virtue

In Testimony whereof I hereto subscribe my name and affix the seal of the said district court at office in the town of, Huntsville in the district aforesaid this the twenty fourth day of January A.D. one thousand eight hundred and fifty one and of the Independence of the United States of America the seventy fifth.

(Seal)

B. F. Moore. Clk"

moved the court for a rule on the plaintiff, in error to file the record on or before the ..... day of, and that on failure the case be dismissed. On consideration whereof, it is now here ordered by the court that the said motion be and the same is hereby overruled.

Jno. Mc Chief Justice Taney.

76.	Jeremiah Van Rensselaer vs. John Wallis exrs &c al	The argument of this cause was concluded by Mr Webster for the appellant.
77	The United States appts vs. Thomas Powers' heirs.	This cause was argued by Mr Attorney General Gillendon for the appellants and submitted on a printed argument by Mr Henderson on behalf of the appellees.
78.	Joseph Webster pltff in Er vs. Hugh L. Reid	This cause was submitted to the consideration of the court on the record and printed argument by Mr Dixon in behalf of the plaintiff in error.
79.	Joshua L. Moore pltff. vs. James Brown Jal.	This cause was submitted to the consideration of the court on the record and printed argument by Mr Winfield on behalf of the plaintiff.

81.	James Reeside's adm'rs vs. Robt. J. Walker Secretary of the Treasury U.S.	The argument of this cause was commenced by Mr Sedgwick for the plaintiffs in error.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning, at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	John McKinley,	Justices
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury &	
	Robert C. Grier	

Richard Wallach Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the court is opened.

William McLeod and William H Shelton. pltffs in Er. vs. Paul Spafford & Thomas Tileston surviving partners of the firm of Spafford. Tileston & Co.	In error to the district court of the United States for the northern district of Mississippi.
24.	Mr Lawrence of counsel for the defendants

in error having, filed and read in open court the following, certificate to wit:

"Spafford & Tilestor Wednesday June 2nd A.D 1850.

vs)

Mcgart & Shelton. This day came the plaintiffs by attorney, and the defendants though called came not but made default. Thereupon on proof of defendants handwriting being made in open court to a written agreement between the parties by which judgment was to be entered in this cause at this term of the court. It is therefore considered by the court that plaintiffs recover of defendants the sum of four thousand and fifty four and 7/100 dollars damages and their costs in this behalf expended.

United States of America
Northern district of Mississippi

I Robert W. Edmondson Clerk of the District Court of the United States for said district certify that the above and foregoing is a true and correct copy of the judgment of said court in a certain cause wherein Paul Spafford and Thomas Tilestor surviving partners of the firm of Spafford Tilestor and company are plaintiffs and William McGart and William H. Shelton are defendants. I further certify that a writ of error was allowed the

defendants to the judgment of the court in said cause. that a writ of error bond was filed by defendants in the office of the clerk of said court on the 15th day of June A.D. 1830. that a writ of error was issued in said cause on the 30th day of August A.D. 1830 returnable to the Supreme Court of the United States to be held at Washington City, on the first Monday of December A.D. 1830 and that a copy of said writ of error was lodged in the clerks office of said court on the said 30th day of August A.D. 1830.

In Testimony, whereof I have hereunto set my hand and affixed the seal of said court at office in Pontotoc this 28th day of January A.D. 1831.

(seal)

R. W. Edmondson. Clerk."

and having stated that the plaintiffs in error have altogether failed to file the record of said court in this cause, or in any way to prosecute said writ of error. now here moved the court in pursuance of, of the 4th rule of this court to have this writ of error docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this court that this writ of error to the district court of the United States for the northern district of Mississippi be and the same is hereby docketed and dismissed

with costs and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein conformably to law and justice the said writ of error notwithstanding.

per Mr Chief Justice Marshall.

88.	Thomas Mc Laughlin plff in Er. vs. John De Young, Surveyor &c. Defl.	On the motion of Mr Wood of counsel for the plaintiff in error and with the assent of Mr Harris of counsel for the defendants in error.

it is now here ordered by the court that this cause be set down for argument next after No 91.

91.	James Reside's admr plff in Er. vs. R. B. Mather Secretary of the Treasury, Defl.	The argument of this cause was continued by Mr Goodrich for the plaintiff in error & Mr Attorney General contended for the defl in Er., and concluded by Mr Goodrich for the plaintiff in error.

	Thomas McLeague plff in Er	The argument of
88	vs	this cause was com-
	John Ce Young, surveyor &c Def.	menced by Mr C F
		Johnson for the plain-
		tiff in error.

Proclamation being made the court is adjourned until tomorrow morning, at Eleven O'Clock.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf, by Mr Reed, it is ordered that James H. Campbell and Nelson Merrill, Esquires, of New York, be admitted to practice as attorneys and counsellors of this court, and they were severally sworn accordingly.

Edward E. & John claimants of the Steamboat Neptune Appts 63. vs. Jabulon A. Paine, Sarah M. Wood, Asher Buchanan, Andrew Bradford & Augustus Norton Libellants.	On appeal from the Circuit Court of the United States for the southern district of New York.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the southern district of New York and was argued by counsel On consideration whereof, it is ordered and decreed by this court that the decree of the said Circuit court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

Per Mr Justice Nelson.—

Dissenting, Mr Justice Daniel.—

Isaac Newton claimant of, Steamboat New Jersey. Appt. 66. vs. John H. Stebbins	On appeal from the circuit court of the United States for the southern district of New York.

This cause came on to be heard on the transcript of the record from the circuit court of the

United States for the southern district of New York and was argued by counsel: On consideration whereof, it is ordered and decreed by this court that the decree of the said circuit court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

Mr Justice Nelson. ——

Dissenting, Mr Justice Daniel.

88.	Thomas Mc Teague Appellee. vs. John C. Young, surveyor &c. Appt.	The argument of this cause was continued by Mr C. J. Johnson for the plaintiff in error, & by Mr Harris for the defendants in error.

Proclamation being made the court is adjourned until tomorrow morning, at Eleven O'Clock.

Pursuant to adjournment the court met this morning, at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
John Catron
John McKinley Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Wood, it is ordered that R. B. Taney, Esquire, of New York, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

88	Thomas Mc. League for Eff. Ex. vs. John C. Young, survivor &c. Dat.	The argument of this cause was continued by Mr. Harris for the defendants in error and concluded by Mr. Wood for the plaintiff in error.

Proclamation being made the court is adjourned until Monday morning at Eleven O'clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice.
	John McLean	
	James Mc. Wayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier.	

Richard Wallach. Esquire. Marshal
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Welch it is ordered that Gilbert Cran Esquire of New York be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

William L. Berins & Oliver P. Earle surviving partners of the firm of Berins Earle & Co who sue for the use of Oliver P. Earle - Appts. vs. William B. A Ramsey Robert Craighead James P. M. Craighead Thomas W. Humes and James McMillan admr of Andrew McMillan dec'd.	On appeal from the circuit court of the United States for the district of East Tennessee.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the district of East Tennessee and it appearing to the court that this cause is brought up by an appeal from a judgment on the common law side of the circuit court instead of by a writ of error; it is ordered, adjudged and decreed by this court that this cause be and the same is hereby dismissed with costs.

Per. Mr. Chief Justice Taney

Smith Hogan who for his use vs. Aaron Peck use of R. Patterson	The argument of the motion for a supersedeas was commenced by Mr Featherston in support

235.

of the motion, continued by Mr Cox in opposition

thereto: and concluded by Mr. Fatherston. -

Lessee of Polly Weatherhead vs. Jeff. in Er William Washington &al. | The argument of this cause was commenced by Mr. Meigs for the plaintiff in error and continued by Mr. Fogg for the defendants in error. -

Proclamation being made the court is adjourned until tomorrow morning, at Eleven O'Clock. -

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the court is opened

83	Estate of Polly Weatherhead &c.	The argument of this cause was continued by
	William Blackwell & al.	Mr Legg for the defendants in error and concluded by Mr Meigs for the plaintiff in error.

34	Samuel Parks admr. vs. Plff in Er. John Ross.	The argument of this cause was commenced by Mr Swan for the plaintiff in error and continued by Mr Bradley for the defendant in error. —

Proclamation being made the court is adjourned until tomorrow morning, at Eleven O'Clock.

Pursuant to adjournment the court met this morning, at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley,	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier.	

Richard Wallach, Esquire, Marshal

William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Attorney General Crittenden it is ordered that Walter S Cooper Esquire of the District of Columbia be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly;-

62.	Simon Gratz's Exrs et al. Appts. vs. Samuel M. Cohen. Joseph S. Cohen administrator of Sarah M. Cohen decd et al.	On appeal from the circuit court of the United States for the Eastern district of Pennsylvania.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the eastern district of Pennsylvania and was argued by counsel On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said circuit court in this cause be and the same is hereby reversed with costs. and that this cause be and the same is hereby remanded to the said circuit court for further proceedings to be had therein in conformity to the opinion of this court.

Per Mr. Justice Woodbury ——

Dissenting, Mr Justice Nelson. ——————

Mr Justice Grier did not sit on the trial of this cause in this court being indisposed at the time.

75	Silas P. Holbrook executor of, John G. Holbrook dec'd. John A. Davenport & John W. Tunney, (os) pltffs in Er. Niles Ermeweed and Thomas Wood, partners in trade under the name of M. Ermeweed & Co.	In error to the circuit court of the United States for the district of Ohio.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the district of Ohio & was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby affirmed with cost.

per Mr Justice Nelson

Dissenting, Mr Justice Woodbury.

77	The Baltimore & Susquehanna Rail Road Company - pltffs in Er. (os) Alexander Nesbit & Penelope D. Goodwin.	In error to the Baltimore County court.

This cause came on to be heard on the transcript of the record from the Baltimore County Court and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Baltimore County court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Daniel.

Smith Hagan Sal fclp in Er.
vs
Aaron Ross use of Patterson.

On consideration of the motion by Mr Heathston for a writ of supersedeas in this cause and of the arguments of counsel thereupon had as well against as in support thereof, it is now here ordered by the court that the said motion be and the same is hereby overruled.

Per Mr Chief Justice Taney.

Samuel Parks admr.
vs
John Ross.

The argument of this cause was continued by Mr Bradley for the defendant in error and concluded by Mr Brent for the plaintiff in error.

65.	Absalom Fowler et al vs Appts. Ayres P. Merrill	The argument of this cause was commenced by Mr Sawyer for the appellants

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	Associate Justices
	James M. Wayne	
	John Catron	
	John McKinley	
	Peter V. Daniel	
	Samuel Nelson	
	Levi Woodbury &	
	Robert C. Grier	
	Richard Wallach Esquire	Marshal
	William Thomas Carroll	Clerk.

Proclamation being made the court is opened.

	William E Woodruff.	In error to the Supreme
16.	vs.	court of the State of Arkan-
	Frederick W. Trapnall.	sas.

This cause came on to be heard on the transcript of the record from the Supreme court of the State of Arkansas and was argued by counsel. On consideration whereof it is now here

ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to the opinion of this court.

per Mr Justice McLean.

Dissenting Mr Justices Nelson Grier Taney & Wilson.

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70. John Hortsman. Jeff in Er.
vs
John Renshaw William Ward, and Joseph W. Ward merchants and co partners doing business under the firm and style of Renshaw Ward & Company.

In error to the circuit court of the United States for the district of Massachusetts.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the district of Massachusetts and was argued by counsel On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be & the same is hereby affirmed with costs.

per Mr Ch Jus Taney.

Erich Christian Ludwig Framer Claimant of the Schooner Fairy, her tackle appard. and furniture vs Appts. The United States.	On appeal from the district court of the United States for the district of Texas.

This cause came on to be heard on the transcript of the record from the district court of the United States for the district of Texas, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that this cause be and the same is hereby dismissed for want of jurisdiction

per Mr Chief Justice Taney.

Absalom Fowler et al vs Appts. Ayres & Merrill	The argument of this cause was continued by Mr Lawrence for the appellants and by Mr W. M. Addison for the appellee.

Proclamation being made the court is adjourned until tomorrow morning at eleven O'Clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire Marshal.

William Thomas Carroll Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Nelson it is ordered that James Mencrief Esquire of New York be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly;

On motion first made to the court in this behalf, by Mr Pillich it is ordered that Charles J Wallach Esquire of the District of Columbia be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The United States Appts.
vs.
The Mayor Aldermen and Inhabitants of the cities of Philadelphia & New Orleans.

On appeal from the district court of the United States for the district of Louisiana.

This cause came on to be heard on the transcript of the record from the district court of the United States for the district of Louisiana and was argued by counsel On consideration whereof it is the opinion of this court that the title set up by the petitioners is neither a legal nor equitable claim and is null and void Whereupon it is now here ordered and decreed by this court that the decree of the said district court in this cause be and the same is hereby reversed and annulled and that this cause be and the same is hereby remanded to the said district court with directions to dismiss the petition of the claimants. —— for Mr Sec Calhoun. Defendants. Present Justices M'Lean, Thayne, M'Kinley & Price.

The United States. Appts vs. 69. Thomas Callendis widow & hrs &c.	On appeal from the district court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the district court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof it is the opinion of this court that the title set up by the petitioners is neither a legal nor equitable claim, and is null and void. Whereupon it is now here ordered and decreed by this court that the decree of the said district court in this cause be and the same is hereby reversed and annulled and that this cause be and the same is hereby remanded to the said district court with directions to dismiss the petition of the claimants.

Per Mr Justice Catron

Dissenting, Mssrs Justices McLean Wayne McKinley & Grier.

The United States. Appts vs. 52. Louise Livingston et al	On appeal from the district court of the United States for the district of Louisiana.

This cause came on to be heard

on the transcript of the record from the district court of the United States for the district of Louisiana and was argued by counsel. On consideration whereof, it is the opinion of this court that the title set up by the petitioners is neither a legal nor equitable claim and is null and void. Whereupon it is now here ordered and decreed by this court that the decree of the said district court in this cause be and the same is hereby reversed and annulled and that this cause be and the same is hereby remanded to the said district court with directions to dismiss the petition of the claimants.

for Mr Justice Catron.——

Dissenting, Mr Justices McLean, Wayne, McKinley & Barr.

53 | The United States Appellants vs. The heirs of Henry Turner. | On appeal from the district court of the United States for the district of Louisiana.

This cause came on to be heard on the transcript of the record from the district court of the United States for the district of Louisiana and was argued by counsel. On consideration whereof, it is ordered and decreed by this court that the decree of the said district court in this cause be

and the same is hereby reversed and annulled, and that this cause be and the same is hereby remanded to the said district court with directions to dismiss the petitions of the claimants.

Per Mr. Chief Justice Taney.

Dissenting, Mr. Justices McLean Wayne & Grier.

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61. John A Warner & Nicholas S. Buckner & William Heald who survived Jacob Heald & Samuel Woodward, trading as Heald Woodward & Co. Appts.
vs.
Thomas P. Martin, who survived Spencer Franklin, late trading as Martin and Franklin.

On appeal from the circuit courts of the United States for the eastern district of Pennsylvania.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the eastern district of Pennsylvania, and was argued by counsel On consideration whereof, it is the opinion of this court, that there is no error in the decree of the said circuit court "that the defendants do pay to the complainants the sum of $ 2.869 14/100 with interest from the 3rd of September 1845" and that the same should be affirmed with costs: and that the complainants are entitled

Friday, February 21. 1851 Continued.

to recover from Wayne &c $13.76 92/5 (part of the aforesaid sum of $2.86 7/10) with interest thereon from the 23d of September 1841 together with $7.62 1/2 on account of the costs of the complainants in this court and do have execution against them for the said several sums amounting to $145.39 4/5: And also that the said complainants are entitled to recover from the said Heald, Woodward & Company, $14.42 21/5 (the residue of the said sum of $2.86 7/10) with interest thereon from the 23d of September 1841. together with $5.14 in full of the balance of the costs of the complainants in this court. and do have execution against them for the said several sums amounting to $19.56 35/5. Whereupon it is now here ordered, adjudged and decreed by this court that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree in conformity to the opinion of this court and to proceed therein accordingly.

Jno. McLean. Wayne.

64 John W. Paup, James Trigg, & Richard Pryor: plffs in Er
vs.
Thomas S. Drew as Governor of the State of Arkansas & successor of, Archibald Yell, deceased.

In error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

Per Mr Justice McLean.

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65. James Trigg, Richard Pryor & John W. Paup. plffs in Er
vs.
Thomas S. Drew as Governor of, the State of Arkansas & successor of Archibald Yell, deceased

In error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was

argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

per Mr Justice McLean

William M. Gozart & William H. Shelton. Plffs in Er. vs. Oliver Byrne & John Burnside	In error to the District Court of the United States for the northern district of Mississippi.

330

Mr Wallack of counsel for the defendants in error having filed and read in open court the following certificate. viz:

"Byrne and Burnside vs. Gozart and Shelton

In the District court of the United States for the northern district of Mississippi.

Wednesday June 3d 1850.

This day came the plaintiffs by attorney but the defendants though called came not but made default. Thereupon on proof of defendants hand writing, acknowledging service of summons being made in open court, it is therefore considered by the court that plaintiffs recover of defendants the sum of five thousand and forty 2/100 dollars debt and Eighty

nine 25/100 dollars damages and their costs in this behalf expended

United States of America
Northern District of Mississippi

I Robert W. Edmondson clerk of the District Court of the United States for said District certify the above to be a true and correct copy of a judgment in said Court wherein Oliver Keene and John Burnett are plaintiffs & William M. Cozart and William H. Shelton are defendants. I further certify that a writ of error was allowed the defendants to the judgment of the court in said cause; that a writ of error bond was filed by defendants in my office on the 15th day of June 1850 and that a writ of error and citation issued on the 20th day of August 1850 returnable to the Supreme Court of the United States at Washington City on the first Monday of December A.D. 1850, and that no delay has been occasioned by the plaintiffs in error not being able to obtain the record in time for transmission to the Supreme Court at the December term aforesaid.

Seal

In Testimony whereof, I have hereunto set my hand and affixed the seal of said court at office in Pontotoc

this 5th day of February, A. D. 1851.

W. W. Edmondson, Clerk"

and having stated that the plaintiffs in error had altogether failed to file the record of said court in this cause, or in any way to prosecute said writ of error now here moved the court to have this writ of error docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this court that this writ of error to the district court of the United States for the northern district of Mississippi be and the same is hereby docketed and dismissed with costs and that this cause be and the same is hereby remanded to the said district court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

Per. Mr. Chief Justice Taney.

The State of Pennsylvania, Comp.ts
vs.
The Wheeling and Belmont Bridge Company, Def.

The motion filed by Mr. Walker the 18th inst. for the hearing of this cause was argued by Messrs. Stanton and Walker in support of, and by Messrs. Stuart and Johnson in opposition to the same. –

83	Absalom Fowler et al. vs. Myres & Merrill	The argument of this cause was continued by Mr Addison for the appellees and by Mr Lawrence for the appellants.

Proclamation being made the court is adjourned until Monday morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James McLayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach, Esquire, Marshal.
William Thomas Carroll Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Bellah it is ordered that Henry R. Selden Esquire of New York be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

33	The Philadelphia Wilmington and Baltimore Railroad Company, pltff in Er. vs. The State of Maryland.	This cause was submitted to the court on a printed argument by Mr Reverdy Johnson for the plaintiff in error: -

89	John L. Harris pltff in Er. vs. Hiram L. Runnels	On the motion of Mr Walker of counsel for the defendant in error and with the assent of Mr Nelson of counsel for the plaintiff in error, it is now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket.

85	Absalem Fowler et al. vs. Appts. Ayres P. Merrill	The argument of this cause was concluded by Mr Sawyer for the appellants.

86	Jesse H. Clements pltff in Er. vs. Daniel Berry,	The argument of this cause was commenced by Mr Fogg for the plaintiff in error, continued by Mr A. Ewing for the defendant in error and concluded by Mr Fogg for the plaintiff in error: -

57	Godfrey Lessiner et al. vs. Thomas Price	pltffs in Er.

This cause having been called for argument and no counsel appearing ready to proceed with the same, it is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36 rule of court.

91	The Wabash Navigation Company vs. Samuel Culbertson.	pltff in Er.

On the motion of Mr Whitcomb of counsel for the plaintiff in error and with the assent of Mr Durham of counsel for the defendant in error, it is now here ordered by the court that this cause be and the same is hereby continued to the next term.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John M'Lean	
	James M. Wayne	
	John Catron	
	John M'Kinley	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach, Esquire, Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Walker, it is ordered that Lanfear C Blanton, Esquire of Mississippi be admitted to practice as an attorney and counsellor of this court. and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Attorney General Crittenden it is ordered that Walter S Cox Esquire of the District of Columbia be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Mary Reeside administratrix of James Reeside dec'd plff in Er. vs. Robert J. Walker Secretary of the Treasury of the United States	In error to the circuit court of the United States for the District of Columbia holden in and for the county of Washington.

This cause came on to be heard on the transcript of the record from the Circuit court of the United States for the District of Columbia holden in and for the county of Washington and was argued by counsel On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit court in this cause be and the same is hereby affirmed with costs.

Jpr Mr Justice Woodbury.

James Dibrey, Jeff'n & Co. n.
Messrs Ketchum Thomas Rogers & Edward Bennet co partners doing business under the firm of Ketchum, Rogers & Bennet.

In error to the Circuit court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions for further proceedings to be had therein in conformity to the opinion of this court.

per Mr Justice Catron.

Mr Justice McKinley did not sit on the trial of this cause in the Circuit court, and desires the reporter so to state in his report of this case.

Tuesday February 25th 1831. continued.

2	The State of Pennsylvania. Compt vs The Wheeling & Belmont Bridge Company et al.	Bill in Chancery

The report of the commissioners appointed at the last term having been returned on Thursday the 13th instant. it is thereupon ordered by the court that the case be continued to the next term. with leave to each party to file exceptions to the commissioners report on or before the first Monday of July. the exceptions to stand for argument on the second Monday of December next. If no exceptions shall be filed by either party, then the case to stand for final hearing, on the day last mentioned. –

Mr Chief Justice Taney, announced to the Bar that the court will adjourn on Tuesday the 11th of March and that no arguments will be heard after Thursday the 6th of March. –

90. The United States Appts. vs. David M. Hughes et al

This cause was argued by Mr Attorney General Bell for the appellants and submitted on a printed argument by Mr Henderson for the appellees.

91. William H. Van Rivier vs. Joseph Jeff in Error William & Pippes use &c

The argument of this cause was commenced by Mr May for the plaintiff in error continued by Mr Bradley for the defendant in error and concluded by Mr May for the plaintiff in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven O'Clock

Wednesday February 26 1851.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney,	Chief Justice
	John M Lean	
	James M. Wayne	
	John Catron	
	John McKinley,	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier.	

Richard Wallach Esquire, Marshal.
William Thomas Carroll Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Meredy Johnson, it is ordered that John Van Dyke Esquire of New Jersey be admitted to practice as an attorney, and counsellor of this court and he was sworn accordingly. -

88. Thomas M. League plff in Er
vs.
John L. Young, Surveyor for the District of Galveston, and Samuel P. Dean deputy,

In error to the Supreme Court of the State of Texas

This cause came on to be heard on the transcript of the record from the Supreme court of the State of Texas and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Grier.

93. F. L. Conrad plff in Er
vs.
David Griffen,

This cause was argued by Mr Fendall for the plaintiff in error and by Mr Gillet for the defendant in error.

98. Nathaniel Williams, Trustee &c
vs. plff in Er.
Robert Clews Esq. for Trustees &c.

On the motion of Mr Johnson of counsel for the defendants in error and with the assent of Mr Delany, of counsel for

the plaintiff in error it is now here ordered by the court that this cause be and the same is hereby continued to the next term of this court.

Nathaniel Williams trustee &c. pltff in Er. vs. Robert Chivers Exor & al. trustees &c.	On the motion of Mr Johnson of counsel for the defendants in error and with the assent of Mr Delany of counsel for the plaintiff in error it is now here ordered by the court that this cause be and the same is hereby continued to the next term of this court.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
John Catron
John McKinley, Associate
Peter V. Daniel Justices
Samuel Nelson
Levi Woodbury
Robert C. Grier

Richard Wallach, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Walker, it is ordered that Sargeant Baker, Esquire, of Mississippi, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.-

94	David Randon. plff in Er. vs. Thomas Toby,	This cause was argued by Messrs Harris and Sneady Johnson for the plaintiff in error. and submitted on printed argument by Mr Bibb for the defendant in error. –

95.	John H. Bennett. plff in Er. vs. Samuel F. Butterworth.	The argument of this cause was commenced by Mr C. F. Johnson for the plff in error. –

Proclamation being made the court is adjourned until tomorrow morning, at Eleven O'Clock. –

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach Esquire Marshal.

William Thomas Carroll Clerk.

Proclamation being made the court is opened

175.	Isaac Lawman pltff in Er vs. James Tisdale's heirs.	Mr Stanton of counsel for the defendants in error moved the court to dismiss this case under the 5th rule of court whereupon the court not being now here sufficiently advised of and concerning what order to make in the premises took time to consider.

75.	John C Bennett. plff in Er. vs. Samuel L Butterworth.	The argument of this cause was continued by Mr Walker for the defendant in error and concluded by Mr Harris for the plaintiff in error.

76.	H. C. Conrad plff in Er. vs. David Griffey	The argument of this cause was concluded by Mr Tendall for the plaintiff in error.

76.	Elijah Peale. trustee of the Agricultural Bank of Mississippi. plff in Er vs. Martha Phipps and Mary B. Rice. wife of Charles Rice. by him authorized &c.	In error to the circuit court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit court of the United States for the Eastern District of Louisiana and Elijah Peale the plaintiff in error having been three times solemnly called by the Marshal to come into court and prosecute this writ of error and failing, so to do. it is thereupon. on the motion of the

defendants in error by their counsel R. H. Gillet Esquire now here ordered and adjudged by this court that this cause be and the same is hereby dismissed with costs.

Jas M. Chief Justice Jones.

Proclamation being made the court is adjourned until Monday morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier.	

Richard Wallach Esquire Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Ellich. it is ordered that Joshua A. Spencer. Esquire. of New York. be admitted to practice as an attorney and Counsellor of this court and he was sworn accordingly.

On motion first made to the court in that behalf by Mr Lee it is ordered that Marshall T. Wickham Esquire of Georgia be admitted to practice as an attorney and counseller of this court and he was sworn accordingly. -

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On motion first made to the court in this behalf by Mr Western it is ordered that W. B. Lawrence Esquire of New York be admitted to practice as an attorney and counseller of this court and he was sworn accordingly;

On motion first made to the court in this behalf by Mr Otis it is ordered that George W. Julian Esq. late of Indiana be admitted to practice as an attorney and counseller of this court and he was sworn accordingly;

Charles S. Taylor et al. vs. Jefferson Co. Benjamin L. Wilder.	28.	On consideration of the motion filed by Mr Lee in this case the 25th ultimo that the judgment entered in the case be opened, that the bill of exceptions be amended and the case re argued upon said amended bill", it is now here ordered by the court

that said motion be and the same is hereby overruled.

George M. Gill trustee &c. vs Jeff'n Ex Rebecca Clarcis ex's &c. trustees &c.	The argument of this cause was commenced by Mr Delany, for the plaintiff in error & continued by Messrs Campbell and Johnson for the defendants in error.

Proclamation being made the court is adjourned until tomorrow morning, at Eleven O'Clock.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John McKinley,	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury &	
	Robert C. Grier	

Richard Wallach Esquire Marshal.

William Thomas Carroll Clerk.

Proclamation being made the court is opened.

On motion first made to the court & this behalf by Mr Butler, it is ordered that Henry Bennett Esquire of New York be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Leigh it is ordered that Newell Marsh Esquire of Ohio be admitted to practice as an attorney and counseller of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Leigh it is ordered that Andrew Varnum Esquire of New York be admitted to practice as an attorney and counseller of this court and he was sworn accordingly. -

175. Isaac Parman plff in Er
vs.
James Tisdale's heirs

On consideration of the motion made in this case by Mr Stanton on a prior day of the present term to wit on Friday the 28th ultimo it is now here ordered by the court that said motion be and the same is hereby overruled. -

97. George M Bell Trustee &c. plff in Er.
vs.
Robert Oliver's exors & al. Trustees &c.

The argument of this cause was continued by Mr Johnson for the defendants in error and concluded by Mr Nelson

for the plaintiff in error.

101.	Richard T. Archer pltff in Er. vs. John Bacon Defr	On motion of Mr Walker of counsel for the plaintiff in error: it is now here ordered by the court that this cause be and the same is hereby continued to the next term.
103.	George W. Parks. pltff in Er. vs. Turner and Renshaw.	It is now here ordered by the court that this cause be and the same is hereby continued to the next term.
104.	John T. White pltff in Er. vs. U. S. A. Kingsland & Co	In error to the circuit court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the Eastern District of Louisiana and John T White the plaintiff in error having been three times solemnly called by the Marshal to come into court and prosecute this writ of

error and failing, so to do it is thereupon on the motion of the defendants in error by their counsel R. H. Gillet Esquire now here ordered and adjudged by this court that this cause be and the same is hereby dismissed with costs.

Jer. Mr Chief Justice Taney.

James A. Potter claimant of the ship Panther her tackle apparel and furniture. Appellant.

vs.

The United States.

On appeal from the circuit court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the district of South Carolina and James A Potter the appellant having been three times solemnly called by the marshal to come into court and prosecute this appeal and failing, so to do it is thereupon on the motion of the appellees by their counsel Mr Attorney General Crittenden now here ordered adjudged and decreed by this court that this cause be and the same is hereby dismissed.

Jer. Mr Chief Justice Taney.

108. The United States. Appellee. vs. Daniel K. Sweeney

On the motion of the Attorney General Middleton of counsel for the plaintiffs in error: and with the assent of Mr Bartlett of counsel for the defendant in error. it is now here ordered by the Court. that this cause be and the same is hereby continued to the next term. -

109. John Perkins. Appt vs. Edward F. Fourniquet and wife

On the motion of Mr Key who stated that his associate counsel. Mr. Mayer was indisposed and that Mr Henderson of counsel for the appellees was not in the city, it is now here ordered by the court that this cause be and the same is hereby continued to the next term. -

110 John McKenzie. Appt. vs. The United States

Mr Johnson, having stated to the court that Mr. Meredith of counsel for the appellant is confined to his bed by sickness, now here in his behalf, suggested the death of John McKenzie the appellant since the last continuance of this cause and

prayed for leave to make the proper representatives parties thereupon it is now here ordered by the court that the leave prayed for be and the same is hereby granted.

John McKenough. Appt vs. The United States	Mr Johnson having stated to the court that Mr. Meredith of counsel for the appellant is confined to his bed by sickness now here in his behalf suggested the death of John McKenough the appellant, since the last continuance of this cause and prayed leave to make the proper representatives parties thereupon it is now here ordered by the court that the leave prayed for be and the same is hereby granted.
166	

The United States. Appt. vs. John McKenough	Mr Johnson having stated to the court that Mr. Meredith of counsel for the appellee is confined to his bed by sickness, now here in his behalf suggested the death of John McKenough the appellee since the last continuance of this cause and prayed leave to make the proper representatives parties thereupon it is now here ordered by the
154	

court that the leave prayed for be and the same is hereby granted.-

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135. The United States. Appeals. vs John McKenzie

Mr Johnson having stated to the court that Mr Meredith of counsel for the appellee is confined to his bed by sickness, now here in his behalf suggested the death of John McKenzie the appellee since the last continuance of this cause and prayed for leave to make the proper representatives parties whereupon it is now here ordered by the court that the leave prayed for be and the same is hereby granted.-

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136. The United States. Appeals. vs John McKenzie

Mr Johnson having stated to the court that Mr Meredith of counsel for the appellee is confined to his bed by sickness now here in his behalf suggested the death of John McKenzie the appellee since the last continuance of this cause, and prayed for leave to make the proper representatives parties. whereupon it is now here ordered by the court that the leave prayed for be and the

same is hereby granted.

The United States Appls. vs. John Mc Donogh	Mr Johnson having stated to the court that Mr Meredith of counsel for the appellee is confined to his bed by sickness now here on his behalf suggested the death of John Mc Donogh the appellee since the last continuance of this cause and prayed for leave to make the proper representatives parties whereupon it is now here ordered by the court that the leave prayed for be and the same is hereby granted.
137	

The United States Appls. vs. John Mc Donogh	Mr Johnson having stated to the court that Mr Meredith of counsel for the appellee is confined to his bed by sickness now here on his behalf suggested the death of John Mc Donogh the appellee since the last continuance of this cause and prayed for leave to make the proper representatives parties whereupon it is now here ordered by the court that the leave prayed for be and the same is hereby granted.
138	

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James McKlayne	
	John Catron	
	John McKinley	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach, Esquire, Marshal.

William Thomas Carroll Clerk

Proclamation being made the court is opened.

Jeremiah Van Rensselaer. vs. Philip Kearny & Frederick De Peyster, Executors of John Walls, deceased.	Appl.	On appeal from the circuit court of the United States for the Southern district of New York

76.

This cause came on to be heard on the transcript of the record from the

circuit court of the United States for the southern district of New York and was argued by counsel On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said circuit court in this cause be and the same is hereby affirmed with costs. –

Pr. Mr Justice Nelson.

100	Arthur Spear, claimant &c vs. Henry Place. Appts	This cause was argued by Mr Coe for the appellee.
101	Greenbury Dorsey, Appt vs Samuel Packwood.	This cause was argued by Mr B. F. Butler for the appellee.

Proclamation being made the court is adjourned until Friday morning at Eleven O'Clock. –

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	John McKinley,	Justices
	Peter V. Daniel	
	Levi Woodbury	
	Robert C. Grier	

Richard Wallach, Deputy Marshal.
William Thomas Carroll, Clerk

Proclamation being made the court is opened.

96	David Hunter Strother	In error to the District
	vs.	court of the United States
	Jonas Butler admr of	for the district of Texas.
	Thomas Toby, deceased.	

This cause came on to be heard on the transcript of the record from the district court of the United States for the district of Texas and was argued by counsel. On consideration

whereof it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

Per Mr Justice Grier.

Absalom Fowler and Noah H. Badgett Apfts. vs. Ayres P. Merrill	On appeal from the circuit court of the United States for the District of Arkansas.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the district of Arkansas and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said circuit court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Woodbury.

39	Ambrose Lecomte Appt. vs. The United States	On appeal from the District court of the United States for the district of Louisiana

This cause came on to be heard on the transcript of the record from the district court of the United States for the district of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said district court in this cause dismissing the petition of the claimant be and the same is hereby affirmed.

Per Mr Justice Daniel.

77	The United States Appts. vs. Thomas Power's heirs	On appeal from the district court of the United States for the Southern district of Mississippi.

This cause came on to be heard on the transcript of the record from the district court of the United States for the southern district of Mississippi and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said district court in this cause be and the same

is hereby reversed and annulled, and that this cause be and the same is hereby remanded to the said district court with directions to dismiss the petition of the claimants.

Per Mr Justice Catron.

Joseph Webster plffin Er. vs. Hugh J. Reid	)	In error to the supreme court of the Territory, now State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme court of the Territory, now State of Iowa, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs and that a statement of this decision be certified to the Supreme court of Iowa.

Per Mr Justice McLean.

John H Wennell plffin Er. vs. Samuel J. Butterworth.	)	In error to the district court of the United States for the district of Texas.

This cause came on to be heard on the transcript of the record from

the District court of the United States for the district of Texas and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said district court with directions to award a venire facias de novo.

Per Mr Chief Justice Taney.

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94 David Vanden plff in Er. vs Thomas Toby,

Mr Pitt of counsel for the defendant in error having, stated to the court that it appeared on the face of the record of this case that Thomas Toby was dead; that the citation was served on Jonas Butler his administrator and that the plaintiff in error had accepted such service of the citation, moved the court that the titling of the case in this court be David Vanden plaintiff in error vs Jonas Butler administrator of Thomas Toby deceased and that the judgment of this court be entered in behalf of said Jonas Butler. whereupon it is now here ordered by the court that the said motion be and the same is hereby

granted, and the clerk make the entries accordingly. -

Archibald W Goodloe		Mr Lawrence of counsel
24	vs.	for the appellant having
John W Pinkard	Appl	stated that the death of

the appellant was suggested at the last term of this court: that the case had been postponed on a prior day of the present term on his motion for the purpose of making further parties and that Letters Testamentary to Joseph B. Thredgill had been filed on the 4th instant, moved the court that the said Joseph B. Thredgill administrator of said Archibald W Goodloe, be made party appellant to prosecute this appeal - On consideration whereof it is now here ordered by the court that the appearance of the said Joseph B. Thredgill administrator of said Archibald W Goodloe be entered and that he be and hereby is made the party appellant with leave to prosecute this appeal. -

102.	Greenbury Dorsey, Appt. vs. Samuel Packwood.	It is now here ordered by the court that this cause be and the same is hereby continued under a curia advisare vult to the next term of this court:

Proclamation being made the court is adjourned until Monday morning, at Eleven O'Clock.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James Mc. Wayne
John Catron Associate
John McKinley Justices
Peter V. Daniel
Levi Woodbury
Robert C. Grier

Richard Wallach Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the court is opened.

George W Parke admr of Samuel Parke Jeffson &c. vs. John Ross.	In error to the circuit court of the United States for the District of Columbia holden in and for the county of

84

Washington.

This cause came on to be heard on the transcript of the record from the circuit

court of the United States for the District of Columbia holden in and for the County of Washington and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Grier.

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93 | P. D. Conrad & Co. pltffs in Er. vs. David Tiffey, | In error to the circuit court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said circuit court with directions to award a venire facias de novo.

per Mr Justice Woodbury.

90	The United States. Appts. vs. David M. Hughes Robert Farrell & Franklin Hudson a minor by his tutor Holmes Cutchison.	On appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the Eastern District of Louisiana and was argued by counsel On consideration whereof it is now here ordered and decreed by this court that the decree of the said Circuit court in this cause be and the same is hereby reversed. and this court proceeding to render such decree as the said circuit court ought to have rendered. doth order, adjudge and decree that the patent made to David Meshack Hughes by the President of the United States on the 16th day of April A.D. 1841 for section 34 in township 11 of range 12 east in the district of lands subject to sale at New Orleans Louisiana containing one hundred and seventy five acres and forty six hundredths of an acre of land. be and the same is hereby vacated and annulled. that the said David M. Hughes do within one calendar month from the

time of filing the mandate of this court in the said circuit court, surrender said patent to the clerk of said court, that the said clerk shall certify, under the seal of the said court on the face of the said patent that it is annulled by this decree and then transmit the same to the Commissioner of the General Land Office at Washington City; that the said David M. Hughes be and he is hereby forever enjoined from prosecuting any suit in law or equity on said patent as evidence of title. And it is further adjudged & decreed that this cause be and the same is hereby remanded to the said Circuit court with directions to carry this decree into effect, and for such further proceedings to be had herein in conformity to the opinion of this court as to law and justice may appertain.

Per Mr Justice Catron.

John Wm. Lessee of Polly Weatherhead &c. &c.
vs.
John Nashville, John White, John Parker, Peter Haynes, William Stewart, Nancy Stewart, Nelson & Turner, Jacob Galaspie, Peter Bayson, Benjamin Parrish, William Schroer, Reuben G. Brown, Thomas Saunders, Richard Winn, Thomas Elam, Beverly Mead, Claud Chenault, Wm W Weatherhead, John Weatherhead, George F. Brown, A. F. Sharp and Francis Rogan. ———

In error to the circuit court of the United States for the Middle District of Tennessee.—

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the Middle District of Tennessee and was argued by counsel On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said circuit court with directions to award a venire facias de novo.

Per Mr Justice Wayne. -

86	Jesse B. Clements pltff in Er. vs Daniel Berry	In error to the Supreme court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Supreme court for further proceedings to be had therein in conformity to the opinion of this court.

per Mr Justice McLean

Dissenting Mr Justice Catron
" " Wilson
" " Daniel
" Chief Justice Taney.

The Philadelphia Wilmington & Baltimore Railroad Company. (as) (Jeff. in Er The State of Maryland.	In error to the Court of appeals for the Western Shore of Maryland.

This cause came on to be heard on the transcript of the record from the court of appeals for the western shore of Maryland and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said court of appeals in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

Per Mr Chief Justice Taney.—

Mr Justice Wayne being a Stockholder did not sit in this cause.

Proclamation being made the court is adjourned until tomorrow at Twelve O'Clock.

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
James M. Wayne
John Catron
Peter V. Daniel
Levi Woodbury
Robert C. Grier
Associate Justices

Richard Wallach Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Webb it is ordered that Timothy Felch Esquire of New York be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.-

George McGill, permanent trustee for the creditors of Lyde Goodwin vs. Charles Oliver, Rebecca M. Gibbs and Thomas Oliver exrs of Rebecca Oliver and John Glenn and David M. Perine, trustees &c.	In error to the court of appeals for the western shore of Maryland.

11 This cause came on to be heard on the transcript of the record from the court of appeals for the western shore of Maryland and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that this cause be and the same is hereby dismissed for the want of jurisdiction.

per Mr Justice Daniel.

Dissenting, Mr Chief Justice Taney, Mr Justices McLean Wayne & Woodbury.

Luther Spear, claimant of the schooner Lucy, Inn and cargo vs. Henry Place libellant &c for himself, and others.	On appeal from the District court of the United States for the District of Texas.

100 This cause came on to be heard on the transcript of the record from the

Circuit Court of the United States for the District of Texas and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr Justice Woodbury.

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92. William H Van Ness vs Jeff on &c. William H. Diggs

In error to the circuit court of the United States for the District of Columbia holden in and for the county of Washington.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the District of Columbia holden in and for the County of Washington and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit court with direction to award a venire facias de novo.

Per Mr Justice Daniel.

77	Joshua L. Moore plff, vs. James Brown, Jefferd Brown, Harman Hogan and Joseph Howard.	On a certificate of division in opinion between the Judges of the circuit court of the United States for the District of Illinois.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the District of Illinois and on the point and question on which the Judges of the said circuit court were opposed in opinion and which was certified to this court for the opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof it is the opinion of this court that the paper offered in evidence by the defendant is a void deed on the face of it and was not admissible as evidence for the purpose for which it was offered. Whereupon it is now here ordered and adjudged that it be so certified to the said circuit court.

Per. Mr Justice Wayne.

Dissenting, Mr Chief Justice Taney, Mr Justices Catron & Grier.

112.	Greenbury Cooey, Appt vs. Samuel Packwood	Ordered by the court that the appellant have leave to file a printed argument in this case on or before the first day of June next. sending, also to the counsel for the appellee a copy at the same time. and that the counsel of the appellee have leave to file a printed reply, on or before the first of September.

Proclamation being made the court is adjourned to the time and place appointed by law. -

At the Capitol of the United States in the City of Washington and District of Columbia being the present Seat of the National Government of the United States on the first Monday of December (being the first day of the same month) in the year of our Lord one thousand eight hundred and fifty one, and of the Independence of the United States the seventy sixth. The Supreme Court of the United States met agreeably to law.

Present:

The Honorable	Roger B. Taney	Chief Justice
	John A. McLean	
	John Catron	Associate
	Samuel Nelson	Justices
	Benjamin R. Curtis	

Richard Wallach, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

The Chief Justice announced to the

Monday December 1. 1851

Was that the Court would commence the call of the docket tomorrow, under the 36th rule.

Proclamation being made the Court is adjourned until tomorrow morning at 10 o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	John Catron	Associate
	Samuel Nelson	Justices
	Benjamin R. Curtis	

Richard Wallach Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

At the opening of the Court the Honorable C. J. Crittenden Attorney General of the United States rose and remarked substantially, as follows.

As an officer of this Court and at the request of its Bar it becomes my duty to submit a brief and imperfect expression of our common regret for the loss of the distinguished member of this Court whose death this nation has recently been called upon to

deplore.

Judge Woodbury was a man who, for a long series of years, enjoyed a most conspicuous position. The continued confidence reposed in him by his country, and the numerous honors which he shared, all testify to his greatness, and will be his noblest monument.

It has rarely happened that any citizen has enjoyed such a succession of exalted public honors as were shared by Judge Woodbury - Governor, Secretary of the Treasury, Senator, and, his last and greatest distinction, Judge of the Supreme Court of the United States, whose jurisdiction is more extended than any other upon the continent; and whose mandate is obeyed from Boston to San Francisco. All these honors, one after the other, were worn by him, but neither they, nor any other human distinction could save him to us any longer. He has fallen in the midst of his earthly honors, he has fallen as all of us must fall, and left with us only his fame which is immortal.

Judge Woodbury was a man who wore his honors, great as they were, meekly; and it was his distinguishing merit that he thought

much less of them than of the duties they en-
tailed.

The Bar of this Court deeply deplore the
loss which they have sustained, and, not doubt-
ing the fervent sympathy of this court with
them, I feel that my duty will be discharged
by offering the resolutions which embody the
sentiments of this Bar, and by requesting, at
their instance, that they may be placed on
the records of this Court where they will
remain as imperishable as his fame.

The resolutions are as follows.

"At a meeting of the members of the
Bar and officers of the Court held in the
Supreme Court room on Monday the 1st of
December 1830, Jonathan Meredith Esq. of
Maryland was called to the chair and
Alexander H. Laurence Esq. of Washington
appointed Secretary.

On motion of Richard S. Coxe Esq. it
it was Resolved that a committee of three gentle-
men be appointed by the chair to prepare and
report to this meeting appropriate resolutions on
the occasion of the lamented death of the late
Honorable Levi Woodbury; one of the associate

Justices of the Supreme Court

Whereupon the Chair appointed the Honorable Reverdy Johnson of Maryland Richard Rush Esqr. of Washington and R. C. Tillet Esqr. of New York, to constitute said committee.

Mr. Johnson, on behalf of the committee, reported the following resolutions which were unanimously adopted

Resolved, That the Supreme Court the Bar and the Nation have sustained, in the death of the Honorable Levi Woodbury, a loss of extensive learning, indefatigable industry, unsuspected integrity and high abilities. After filling, with great reputation some of the most important offices under the national and State Governments, his elevation to the Bench was received with general satisfaction and his premature and unexpected death with universal regret.

Resolved That this meeting lament the death of Judge Woodbury in the prime of life and usefulness, and that we will wear the usual badge of mourning, during the residue of this term

Resolved. That the Chairman and Secretary transmit a copy of these resolutions to the family of the deceased and assure them of our sincere condolence on account of the bereavement which they have experienced.

Resolved That the Attorney General be requested to move the Court that these resolutions be entered on the minutes of their proceedings.

(Signed) Jonathan Meredith
Chairman

(Signed) Alexander H. Laurence
Secretary

Whereupon the Chief Justice Saney replied

The Court is very sensible of the loss it has sustained in the death of Judge Woodbury. He had been a member of the Court but a few years, yet he was long enough on the Bench to leave behind him in the reports of the decisions of the Court the proofs of his great learning and industry, and of his eminent qualifications for the high office he filled.

His life had been passed mainly in the public service before he became a member of

this court; and in the various and important offices, judicial and political, to which he had been appointed he was always found equal to the duties imposed upon him, and never failed to distinguish himself by the extent and accuracy of his information upon every subject connected with his official duties, or upon which he was at any time called upon to act. The same learning, and the same untiring industry marked his brief course on this bench. We all feel that we have lost in him an able, upright and learned associate, and most truly and sincerely deplore his death; and we cordially unite with the bar in the resolutions they have presented, and shall order them to be entered on the records of the court.—

Order of Court.

Ordered that the proceedings of the city council of the city of Portsmouth upon the death of the late Hon^r Justice Woodbury, be entered on the minutes of the court.

Mayor's Office
City of Portsmouth N. H.
September 6th 1851.

To the Justices of the Supreme Court of the United States.

Gentlemen

In conformity to the direction of the city council of this city, I have with transmit a copy of "Resolutions" passed by that body on the 5th instant in relation to the death of the late Hon. Levi Woodbury, Associate justice of the Supreme Court of the United States.

I am, Gentlemen, respectfully,
Your Ob't & humble Serv't
John Seaholer
Mayor

City of Portsmouth
September 5 1851

At a meeting of the city council held this day the following preamble and resolutions were adopted

"Whereas, it has the decree of Divine Providence to remove by death the late

and highly esteemed fellow citizen, the Hon Levi Woodbury, Associate Justice of the Supreme Court of the United States, has been suddenly summoned from our midst in the full vigour of his manhood and of his usefulness: Therefore, Resolved by the city council of the city of Portsmouth, that we deeply deplore the loss of the illustrious deceased - a loss to his family, his fellow citizens and the nation.

Resolved, That a retrospect of the past, causes us more vividly to realize the extent of the calamity that has befallen us by the removal of one whose worth as a statesman, a public officer, a citizen and a man, was acknowledged wherever his fame had extended or his acquaintance had been enjoyed.

Resolved, That we respectfully tender our heartfelt sympathies to his bereaved family, in their overwhelming bereavement.

Resolved, That as a deserved tribute to the merit of the deceased, as well as to testify, more publicly, our sense of this sad dispensation, the members of the city council will, at an early day, join with their fellow

citizens in such obsequies as are due to the public services and private worth of the honored dead.

Resolved. That the Mayor be requested to communicate copies of these resolutions to the bereaved family of the deceased. the President of the United States and to the United States Infantry Corps.

Extract from the records.
Test Geo. Coffin
Clerk

John I Donnell
City Clerk.

On motion first made to the Court in this behalf by Mr. Attorney General and tendered it is ordered that George S. Paris Esq. of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

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1. Richard Ellis' admr
vs
The people of the State of Illinois

This cause was submitted to the Court on the record and printed arguments by

Mr Dixon for the plaintiff in error; and by Mr Shields for the defendant in error:

	John Cagar surviving partner &c Appt vs William H. Pope et al	On motion of Mr Dixon of counsel for the appellant, it is now here ordered by the Court, that this cause be and the same is hereby continued to the next term of this court with leave to make the proper representatives of William H. Pope, deceased, parties to this suit.
3	A. W. Goodloe's administrator et al vs Appt John M. Pintard	This cause was argued by Mr Lawrence for the appellant and by Mr Cullinden for the appellee.
4	C. Pulsifer pltff in Er vs W Lagow defendant	This cause was argued by Mr Gillet for the plaintiff in error and submitted on a printed argument by Mr Judah for the

defendants in error.

Proclamation being made the court is adjourned until tomorrow morning at 11 o'clock

Wednesday December 3. 1851

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	Associate
	John Catron	Justices
	Samuel Nelson	
	Benjamin R. Curtis	

Richard Wallach, Esquire, Marshal,
William Thomas Carroll Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf, it is ordered that Minor Leslie and Samuel S. Glover, Esquires, of Missouri and William C. Macfarland Esquire of Virginia, be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly.

5	Samuel Hall Appt vs. David McClure	On the motion of Mr Hall of counsel for the defendant in error it is now here ordered by the court that this cause be and the same is hereby continued to the next term of this court with leave to make the proper representatives of David McClure deceased parties to this cause.
6.	Farmers Bank of Virginia vs. Appt. Moses Groves' admr	This cause was argued by Mr Macfarland for the appellant and by Mr R. Johnson for the appellee
7.	Charles H. Jones Jr. vs. Mason & Saunders	On motion of Mr Jones of counsel for the plaintiff it is now here ordered by the court that leave be and the same is hereby granted the said counsel to submit this cause on the record and printed argument.

A. de Mouland et al. vs. The United States	This cause was submitted to the Court on the record and printed arguments by Messrs Badger and Lawrence for the appellants and by Mr Attorney General Crittenden for the appellees.

C. Lessieur et al vs. Price's Thomas Price	The argument of this cause was commenced by Mr Glover for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James Mc. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Benjamin R. Curtis	

Richard Wallach, Esquire Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Richard Eells jun'r vs The people of the State of Illinois.	In Error to the court for the plaintiff in error having suggested the death of Richard Eells the plaintiff in error in this cause and having filed Letters Testamentary appointing Thomas Mears executor of the last will and Testament of the said Richard Eells, now here moves the court for

leave to enter the appearance of the said executor as the plaintiff in error in this cause with liberty to prosecute this writ of error on considerations whereof it is now here ordered by the court, that the appearance of the said Thomas Moore executor of Richard Ellis deceased, be and the same is hereby entered, as the plaintiff in error in this cause with liberty to prosecute this writ of error

1. Richard Ellis. Pff in Er vs. The people of the State of Illinois	On the motion of Mr Chase of counsel for the plaintiff in error it is now here ordered by the court that leave be and the same is hereby granted him to submit this cause on the record and printed argument

9 J. Lefever et al vs. Pffs in Er Thomas Rice	The argument of this cause was continued by Mr Leslie for the defendant in error and concluded by Mr Lieber for the plaintiffs in error.

Thursday December 4th 1851 continued

10 | D. L. Carres Pltff in Error | The cause was argued by Mr. Pelton for the Plaintiff in error and by Mr. C. Howard for the defendant in error
vs.
H. L. Runnels

11 | The United Insurance Company Pltff in Error | The cause was submitted to the court on the record and printed arguments by counsel for the plaintiff in error and by Mr. G. W. Smith for the defendant in error
vs.
Samuel Culbertson

Whereupon the court adjourned until tomorrow morning at eleven o'clock.

6th

Friday, December 5th 1851

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James Mc. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Benjamin R. Curtis	

Richard Wallach Esquire Marshal,
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the court in this behalf, it is ordered that Ferdinand Meulen, Esquire of the District of Columbia be admitted to practice as an attorney, and counsellor of this court, and he was sworn accordingly.

The United States Appellants vs. Thomas H. Patterson	The motion filed by Mr. Coxe of counsel for the appellee on a

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prior day of the present term do wit, on the motion to dismiss this cause for the want of a proper record was this day argued by Mr Key in support of the motion, and by Mr Attorney General Crittenden against the same. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

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33. The United States appts vs. Samuel Devenport's heirs &c. The motion filed by Mr Key of counsel for the appellees on a prior day of the present term do wit, on the 1st instant, to dismiss this cause for the want of a proper record was this day argued by him in support of the motion, and by Mr Attorney General Crittenden against the same. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

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36 Mary Dunn et al petitioners vs. Mary Keith The motion filed by Mr Bradley of counsel for the defendant in

error for a writ of certiorari was argued by him in support thereof and by Mr Carr of counsel for the plaintiffs in error against the same. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Isaac Lamar pffs in ct
vs.
James Tisdale's heirs

(15)

Mr Slade of counsel for the defendants in error, now here moved the court to dismiss this cause under the 55th rule of court. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises, took time to consider.

The United States pffs
vs.
Thomas Reid et al.

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Mr Attorney General Crittenden having suggested to the court that this was a criminal case, moved the court to set it down for argument on the first Monday of January next. Whereupon it is now here ordered by the court that this cause be and the same

is hereby set down for argument on the first Monday of January next.

N. Williams. Pltff in Er. vs. Robt Oliver's executors	The argument of this cause was commenced by Mr Delany for the Plaintiff in error; and continued by Mr Campbell for the defendants in error

Proclamation being made the court is adjourned until Monday morning at eleven o'clock.

Monday, December 8th 1851.

Pursuant to adjournment the court met this morning, at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James Mc. Wayne	
	John Catron	
	Samuel Nelson Jr	
	Benjamin R Curtis	
Richard	Wallach Esquire	Marshal.
William	Thomas Carroll,	Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf, it is ordered that Nelson Barrere and Hiram Bell, Esquires, of Ohio, be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly.

12	N. Williams. Pff in Err. vs. Robert Clever's executors.	The argument of this cause was commenced by Mr. Read, Johnson for the defendants in error; and concluded by Mr. Sohier, for the plaintiff in error.

Proclamation being made the court is adjourned until tomorrow morning at Eleven oclock

Thursday December 9th 1841

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices.
	Benjamin R. Curtis	

Richard Wallach, Esquire, Marshal.
William Thomas Carroll Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf, it is ordered that Miles Taylor, Esquire, of Louisiana, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly,

4	Hall Nelson (N. L.) pltff in err vs. Elizth S. Sagaw, Laura A. Sagaw & Elizabeth L. Sagaw, children & devisees of Wilson Sagaw, deceased	On error to the Supreme Court of Indiana

This cause came on to be heard on the transcript of the record of the Supreme Court of the State of Indiana and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to the opinion of this court.

Per Mr Justice Curtis

3	Joseph F. Sheppard dcsd of Archibald Goodloe. vs. Appt John Mc. Pintard	On appeal from the circuit court of the United States for the district of Alabama

This cause came on to be heard

or the transcript of the record from the circuit court of the United States for the district of Arkansas and was argued by counsel. On consideration whereof it is now here ordered and decreed by this court that the decree of the said circuit court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice McLean

14. Richard T. Archer jun. & (vs.) John Dacon, Alexander Symington & Thomas Robins

In error to the circuit court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the Southern district of Mississippi, and it appearing to the court here from a stipulation on file in the case, that the matters in controversy have been settled and that the parties have agreed that this writ of error shall be dismissed without damages and at the costs of the plaintiff in error" it is therefore now here ordered and adjudged by this court that this cause be and

the same is hereby dismissed without damages and at the costs of the plaintiff in error.

For Mr Chief Justice Taney.

	A Williams Jeffn & Co	This cause was
13	(vs)	submitted to the court
	Robert Oliver's executors	on the record and

printed arguments by Messrs Calvary and Coles for the plaintiff in error and by Messrs Campbell and Johnson for the defendants in error.

	Thornbury Cleary Appt	This cause was
15	(vs)	submitted to the court
	Samuel Packwood	on the record & printed

arguments by General Simonton for the appellant and by Mr Wirt for the appellee.

	H W Parks Jeffn & Co	This cause was
16	(vs)	argued by General
	Turner and Renshaw	Henderson for the

plaintiff in error and by Mr Mayer for the defendants in error.

17	John McGeough Appt vs The United States	On motion of Mr Attorney General Cullenden of counsel for the appellee it is now here ordered by the court that this cause be and the same is hereby postponed for the present.

18	John McGeough Appt vs The United States	On motion of Mr Attorney General Cullenden of counsel for the appellee it is now here ordered by the court that this cause be and the same is hereby postponed for the present.

23.	The United States Appts vs Thomas H Patterson and The United States Appts	On consideration of the following motion filed in these cases by Mr Coxe of counsel for the appellees, to wit: "It is now moved by R J Coxe of counsel
33.	vs Samuel Davenport & his wife &c	

for appellees that the above named causes be dismissed from the docket on the ground of the failure of the appellants to file a transcript

record in said cause. it is now here ordered by this court. that this motion be and the same is hereby overruled.

Mary Bein et al. vs. Plff in Er
Mary Heath

36. On consideration of the suggestion of a diminution of the record in this cause and of the motion of Mr Bradley, of counsel for the defendant in error filed on a former day of the present term, both on the 5th instant in the words and figures following, to wit:

"Mary Bein et al vs Mary Heath

In the Supreme Court December Term 1851

In this cause the defendant by Joseph H Bradley, her counsel and attorney, respectfully submits and suggests to this Honorable Court that the record which has been sent to this court from the circuit court of Louisiana, does not contain some material portions of the evidence which was offered by the said Mary Heath on the trial of said cause in the said circuit court, and upon which said omitted evidence alone, as

Tuesday December 9th 1834 continued

She is well advised, the judgment of the said circuit court was rendered, which said evidence consists

1st. Of proof of the execution and delivery of the injunction bond referred to in the original petition in the said circuit court.

2nd. Of the record of the cause of Mary Heath vs Mary and Rich Bein.

3rd. Of the record of the cause of Richard and Mary Bein his wife against Mary Heath; both of which said records are specifically referred to by descriptive words in the said original petition, and to which she prays leave to refer.

And she is advised by counsel that she cannot safely go to the trial of said cause, and the same cannot be tried in this court with justice to the said parties in said cause without said evidence, and she prays your Honors for the United States with commanding the said circuit court to certify to this court, the said evidence, if the same is of record in that court in the said cause.

Jos H Bradley
for Mary Heath,"

of the following affidavit, to wit

"Dun & others }
vs } In the Supreme Court
Heath }

Joseph H. Bradley, of
counsel for Mary Heath in the cause
pending in the said Supreme Court wherein
Mary Dun and others are plaintiffs in error,
and the said Mary Heath is defendant, makes
oath according to law: that he has for the
first time appeared in the said cause at the
present term of this court, and did not see
the record thereof until a few days before
the opening of the said term: that on inspection
of the said record he finds that the evidence
mentioned in his motion this day filed was and
is wanting; that he has been informed by the
counsel Messrs Ellmore and King who tried
the said cause for the said Mary Heath
in the court below, and by James Heath the
son and attorney in fact of said Mary Heath
that on the said trial the execution of the said
bond was admitted, and the said two records
of the causes referred to in said motion were
read in evidence without objection, and that

the judge of the Circuit court in delivering his said judgment rested the same on the said records of said causes alone, and expressly declared that he did not include in his estimate of the damages, the matters contained in the two bills of exceptions which were taken below and profess to contain the alleged errors to be corrected which the writ of error in this cause has been issued.

He further states that he had no conference with Judge Pollard, who was, as appears from the record, originally engaged for Mrs Heath as her counsel in this court, and therefore cannot explain why the motion for a certiorari was not made by him at the last term of this court; and he has since died: but he supposes that either from the state of his health which this court knows was very bad during the said term, the motion was casually omitted, or he took a different view from that taken by this applicant of the necessity of such writ.

He further states that this action in the court below was founded on an injunction bond given by the plaintiffs in error to the

defendant in error in a certain cause which came up on appeal to this court, and was determined at the December Term 1834, entitled Mary Winn and Richard Winn vs Mary Heath, and the record in that case now remaining among the records of this court, will afford all the evidence material to this trial of this cause if the same can be referred to, and he has reason to believe and does believe that the counsel of the plaintiff below and defendant in error, thought it might be so referred to, and that it would only encumber the record to have it included in it. and he has proposed to the counsel for the plaintiff in error to waive his said motion for a certiorari, on condition that the said record, so as aforesaid remaining among the records of this court may be read by either party in the new pending suit, and he will go on to the trial of the same.

And he respectfully suggests that the death of the counsel originally employed, and the fact that the evidence desired is among the records of this court are special circumstances appealing to the discretion of this Court to

court, and which are within the rules of this court, and enable them to see that justice cannot be done between the parties unless the said motion for a certiorari be granted, or the counsel for the plaintiff is ready with to the terms proposed.

Jos H. Bradley

Sworn to in open court
Wm Thos Carroll
C. S. C. A. S."

and of the arguments of counsel thereupon had as well in support of as against the said application, it is now here ordered by the court that a writ of certiorari as prayed for be and the same is hereby overruled.

Isaac Larman pltff &c
vs.
James Tisdale's heirs

On consideration of the following motion filed in this cause by Mr Stanton of counsel for the defendants in error to wit. "Isaac Larman

vs. No 83
Jas Tisdales heirs"

The defendants by their attorney, move to dismiss this case for want of an appearance on the part of the plaintiff in error in accordance with rule No 54.

Filed P. Hanlon
for defts in error"

it is now here ordered by the court that the said motion be and the same is hereby overruled.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock

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Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B Taney	Chief Justice
	Peter V Daniel	
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Benjamin R Curtis	

Richard Wallach, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the court in this behalf, it is ordered that William A. Jackett, Esquire, of New York, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The United States for &c		This cause was
	vs.	argued by Mr Attorney
19.	Daniel C Bremler	General Crittenden
		for the plaintiff in

error, and by Mr Sackett for the defendant in error.

John Perkins. Appt. vs. C. P. Fourniquet et ux.	The argument of this cause was commenced by Mr Mayer for the appellant, and continued by Mr Henderson for the appellee.

Proclamation being made the court is adjourned until tomorrow morning at eleven O'Clock

Thursday December 11 1851

Pursuant to adjournment the Court met this morning, at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Benjamin R. Curtis	

Richard Wallach, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the court in this behalf, it is ordered that Charles M. Keller Esquire of New York, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly,

Augusta E. Montaudt, Augustine Rose Therese A. Montaudt, by her next friend Louis Montaudt and William Roger de la Chouquais, husband of said Augustine Louis Montaudt, Junior

Pauline Palmo Pauline Eliza Pauline by her next friend Louis Montauet and her husband Augustin Pichard, Adeline Pauline, Virginia Pauline, by her next friend Louis Montauet and her husband Jules Deligny, Fanny Pauline Theodore Pauline, Pauline Pauline by her next friend Louis Montauet and her husband Samuel Logan appellants

vs

The United States.

On appeal from the District Court of the United States for the southern district of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the southern district of Alabama and was argued by counsel. On consideration whereof it is now here ordered and decreed by this court that the decree of the said district court in this cause be and the same is hereby affirmed.

Per Mr. Ch. Justice Taney.

Rule No 59.

Ordered that when a case is reached in the regular call of the docket and no appearance is entered for either party the case shall be dismissed at the costs of the plain. Appt. and the 54th rule adopted at December Term 1849 be and the same is hereby rescinded.

22. The United States Appts vs Daniel M. Leove et al. It is now here ordered by the Court that the clerk do have printed and incorporated with the record in this cause all those parts of other records referred to in this.

23. The United States Appts vs Thomas H. Patterson It is now here ordered by the Court that the clerk do have printed and incorporated with the record in this cause all those parts of other records referred to in this.

33	The United States. Appts vs Samuel Cavenport's heirs &c.	It is now here ordered by the clerk that the clerk do have printed and incorporated with the record in this cause all those parts of other records referred to in this.

22	The United States Appts vs. Daniel W. Coxe et al.	On motion of Mr Coxe of counsel for the appellees and with the assent of Mr Attorney General Cuttenden it is now here ordered by the court that this cause be and the same is hereby continued to the next term of this court.

23	The United States. Appts vs. Thomas H. Pattesen	On motion of Mr Coxe of counsel for the appellee and with the assent of Mr Attorney General Cuttenden it is now here ordered by the court that this cause be and the same is hereby continued to the next term of this court.

33.	The United States Appls. vs. Samuel Clarke & others	On motion of Mr Moore of counsel for the appellees and with the assent of Mr Attorney General Cullenden, it is now here ordered by this court that this cause be and the same is hereby continued to the next term of this court.
34.	L. Perkins Appellant vs. E. P. Fourniquet et al.	The argument of this cause was continued by Mr Henderson for the appellees and concluded by Mr Moore for the appellant.
24	L. C. Russell Appl. vs. C. R. Southard & al.	The argument of this cause was commenced by Mr Underwood for the appellant.

Proclamation being made the court is adjourned until tomorrow morning at eleven O'Clock.

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices.
	Benjamin R. Curtis	

Richard Wallach Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the court is opened

On motion first made to the court in this behalf it is ordered that Joseph L. Stewart Esquire of Kentucky and W. H. Miller Esquire of Mississippi be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly.

Friday, December 15 1854 - continued

36.	Mary Bein et al. vs. Mary Heath	It is now here ordered by the court that the motion of Mr Bradley of counsel for the defendant in error to dismiss this cause, filed this date, be and the same is hereby set down for argument on the 19th instant.
40	Peleg Wilbur Appt vs. Samson Almy,	Mr Chapman of counsel for the appellee moved the court to assign some future day of the term for the argument of this cause to which Messrs Rockwell and Johnson of counsel for the appellant assented. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.
241.	Henry W. Rhodes Appt vs. The claimants of the Steamship Galveston.	On the motion of Mr Love this appeal from the District Court of the United States for Texas was docketed and dismissed with costs under the

for the third rule.

G. C. Russell. Appt vs. D. R. Southard Exr	The argument of this cause was continued by Mr Underwood for the appellant, by Mr Nicholas for the appellees and by Mr Meredith for the appellant.

Proclamation being made the court is adjourned until Monday morning at eleven O'Clock.

Monday December 15th 1851

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benjamin R. Curtis	

Richard Wallach Esquire Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the court is opened

On motion first made to the court in this behalf it is ordered that William Whaley, Esquire, of South Carolina, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

40. Peleg Wilbur Appt. vs Samson Almy

On consideration of the motion made by Mr Chase on this cause on a former day of the present term. to wit on Friday the 15th instant, it is now here ordered by the court. that the said motion be and the same is hereby overruled.

24. G. C. Russell Appt. vs D. R. Southard et al.

The argument of this cause was concluded by Mr Trenchead for the appellant

25. The Miners Bank of Dubuque vs Poff in Er The State of Iowa.

This cause was argued by Mr Lawrence for the plaintiff in error.

31. The United States. Appts vs J. F. Macally here

The argument of this cause was commenced by Mr Attorney General Cullenden for the appellants, and continued by Mr Taylor for the appellees.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Tuesday. December 16th 1851.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James Mc Mayne	
	John Catron	
	Peter V Daniel	
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R Curtis	

Richard Wallach Esquire Marshal.

William Thomas Carroll. Clerk

Proclamation being made the court is opened

3.	The State of Pennsylvania Complt. vs The Wheeling and Belmont Bridge Company et al.	Ordered that this cause be set down for argument to-morrow.

The President Directors and Company of the Farmers Bank of Virginia. Appts vs Horace H. Greves, admr of Jesse Greves deceased	On appeal from the Circuit Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said circuit court in this cause be and the same is hereby affirmed with costs.

Js Mr Justice Nelson

21 The United States Appts vs J. B. Macarty's heirs.	The argument of this cause was concluded by Mr Attorney General Wirt on the part of the Appellants.

19 The United States Appts in Er vs Daniel M Fremley	This cause was submitted to the court on a printed

argument by Mr Sackett for the defendant in error.

The United States Appts vs John Lynds heirs.	On the motion of Mr Attorney General Crittenden of counsel for the appellants it is now here ordered by the court that leave be and the same is hereby granted to the respective counsel to submit this cause to the consideration of the court on the record and printed arguments.

The United States Appts vs Armand Pellerin & al.	On the motion of Mr Attorney General Crittenden of counsel for the appellants it is now here ordered by the court that leave be and the same is hereby granted to the respective counsel to submit this cause to the consideration of the court on the record and printed arguments.

The United States Appts vs A. B. Roman	On the motion of Mr Attorney General Crittenden of counsel for the appellants it is now here ordered by the court that leave be and

the same is hereby granted to the respective counsel to submit this cause to the consideration of the court on the record and printed arguments.

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30 The United States Appts vs. Christian & Capelanties

On the motion of Mr Attorney General & Mr Chandler of counsel for the appellants it is now here ordered by the court that leave be and the same is hereby granted to the respective counsel to submit this cause to the consideration of the court on the record and printed arguments.

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34 The United States Appts vs. Samuel Elkins' heirs & al

On the motion of Mr Attorney General & Mr Chandler of counsel for the appellants, it is now here ordered by the court that leave be and the same is hereby granted to the respective counsel to submit this cause to the consideration of the court on the record and printed arguments.

36.	The United States Appls. vs. Carlos de Clements Exr &c	On the motion of Mr Attorney General Mr Allender of counsel for the appellants it is now here ordered by the court that leave be and the same is hereby granted to the respective counsel to submit this cause to the consideration of the court on the record and printed arguments.

28.	Moses Ls Exrs &c Plffs in Err vs. The Merchants Bank	This cause was submitted to the court on the record and printed arguments by Mr Ames for the plaintiffs in error and by Mr Pitman for the defendant in error.

31.	John Mennell &c Appl vs. Thomas J Chambers	On the motion of Mr Howard of counsel for the appellee it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket.

32	The Grand Gulf Rail Road company .. Plffs in Er vs John R. Marshall.	This cause was submitted to the court on the record and printed argument by Mr Chandler for the Plaintiffs in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven Oclock

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benjamin R Curtis	

Richard Wallach Esquire, Marshal

William Thomas Carroll, Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf, it is ordered that George Harding, Esquire of Pennsylvania, be admitted to practice as an attorney and counseller of this court and he was sworn accordingly,

Godfrey Lefevre. Abram Augustine and Mary
his wife. Thomas H. Dawson. Richard J
Walsen and Sarah his wife. and Palmelia E.
Dawson. Laura A. Dawson, and George W.
Dawson infants by Thomas H. Dawson their
guardian. —, Plffs in Er

9. vs

Thomas Price.

In error to the Supreme
Court of the State of Missouri

This cause came on to be heard
on the transcript of the record from the
Supreme Court of the State of Missouri
and was argued by counsel. On consideration
whereof it is now here ordered and adjudged
by this court that the judgment of the said
Supreme Court in this cause be and the same
is hereby affirmed with costs

per Mr Justice Catron

The State of Pennsylvania — Compt

2. vs

The Wheeling and Belmont Bridge Com
pany Def

The argument of this cause was commenced by Mr Slanton for the complainants

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Thursday December 8th 1851.

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John M'Lean	
	James M. Wayne	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benjamin R. Curtis	

Richard Wallach Esqr. Marshal.

William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

George W. Parks pltff in Er		In error to the
vs		Circuit Court of the
Sumpter Turner and Henry Renshaw trading under the		United States for
		the District of Ten
		nessee
commercial firm of Turner		
and Renshaw		

This cause came on to be heard on the transcript of the record

from the circuit court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum. —

Pr. Mr. Ch. Jus. Taney.

The State of Pennsylvania vs Comp[t]. The Wheeling & Belmont Bridge Company & al.	The argument of this cause was continued by Mr. Stuart for the defendants.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James Mc. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis	

Richard Wallach Esqure Marshal

William Thomas Carroll Clerk

Proclamation being made the court is opened.

The United States, plaintiffs &c. vs Daniel E. Bromley } In error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern

District of New York and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein according to law.

Pr. Mr. Justice McLean

36. Mary Bear et al. vs. Pfff in Er. Mary Heath

It is now here ordered by the Court that this cause be and the same is hereby set down for argument on Friday the 26th instant.

21. The State of Pennsylvania for the use &c. Compts vs. The Wheeling & Belmont Bridge Company et al.

The argument of this cause was continued by Mr. Reverdy Johnson for the defendants.

Proclamation being made the court is adjourned until Monday morning at Eleven O'Clock.

Monday December 27th 1841.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis	

Richard Wallach, Esquire, Marshal

William Thomas Carroll, Clerk

Proclamation being made the court is opened

John L. Harris, surviving partner of the late firm of Rowan and Harris	In error to the circuit court of the United States for the Southern
vs.	District of Mississippi.
Hiram G. Runnels	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern

District of Mississippi and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said circuit court with directions to proceed therein in conformity to the opinion of this court.

Pr. Mr. Justice Wayne

Dissenting:

Messrs Justices McLean & Curtis.

Order of Court:

There having been an Associate Justice of this court appointed since its last session, it is ordered that the following allotment be made of the Chief Justice and Associate Justices of said court among the circuits agreeably to the act of Congress in such case made and provided; and that such allotment be entered of record, viz:

For the 1st Circuit the Honorable Benjamin R Curtis

For the 2d Circuit the Honorable Samuel Nelson,

For the 3d Circuit the Honorable Robert C Grier

For the 2d Circuit. the Honorable Roger B Taney Ch J &c.
For the 3d Circuit. the Honorable John McKinley.
For the 4th Circuit. the Honorable James M Lean.
For the 5th Circuit. the Honorable John McLean
For the 8th Circuit. the Honorable John Catron.
For the 9th Circuit. the Honorable Peter V. Daniel

The State of Pennsylvania vs.) Compt. The Wheeling, & Belmont Bridge Company.	The argument of this cause was concluded by Mr Stanton for the complainant.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R Curtis	

Richard Wallach, Esquire, Marshal,

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the court in this behalf it is ordered that Frederic W. Seward, Esquire, of New York, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

11 The Wabash Navigation Company, vs. Jeff'n & Samuel Cullelsen. } Error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the District of Indiana, and was argued by counsel on consideration whereof it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

Dissenting a divided court

37 The United States. vs. Appls Beverly Chew et al. } On the motion of Mr. Attorney General Crittenden it is now here ordered by the court that leave be and the same is hereby granted the respective counsel to submit this cause on the record and printed arguments.

Tuesday December 23d 1851 continued

38.	The United States Appts vs. Thomas Powers heirs	On the motion of Mr Attorney Genl Crittenden it is now here ordered by the court that leave be and the same is hereby granted the respective counsel to submit this cause on the record and printed arguments.

39.	Joseph Wiswall plff in Er vs. David Sampson Collr of Mobile and Morgan	This cause having been called for argument and no counsel appearing ready to proceed with the same, it is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of court.

40.	Isaac Webber Appt vs. Samson Tiny	The argument of this cause was commenced by Mr Rockwell for the appellant and continued by Mr Bailey for the appellee.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis	

Richard Wallach, Esquire, Marshal

William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf it is ordered that Charles Seyler Esquire of Wisconsin, and John C. Harmon Esquire of Mississippi, be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly; —

1856. Wednesday December 24th 1856 continued

Nathaniel Williams as permanent trustee for the creditors of James Williams an insolvent debtor,

12 vs Pleff in Er.

Charles Oliver Richard McGibbs and Thomas Oliver executors of Robert Oliver and John Glenn and David McKeine trustees &c.

In error to the Court of Appeals of the State of Maryland for the Western Shore

This cause came on to be heard on the transcript of the record from the court of appeals of the State of Maryland for the western shore and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed for the want of jurisdiction. Per Mr Justice Nelson.

Nathaniel Williams as permanent trustee for the creditors of John Gooding, an insolvent debtor,

13 vs Pleff in Er

Charles Oliver Richard McGibbs and Thomas Oliver executors of Robert Oliver and John Glenn and Robert McKeine trustees &c.

In error to the Court of Appeals of the State of Maryland for the Western Shore.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland for the western shore and was argued by counsel On consideration whereof it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed for the want of jurisdiction

for Mr Justice Nelson.

20. John Perkins Appt vs Edward P. Fennriquet and Harriet P. his wife

On appeal from the Circuit Court of the United States for the Southern District of Mississippi

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the southern district of Mississippi and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said circuit court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

Per a divided court.

Wednesday December 24th 1851 continued.

40. Isley Wilbur Appt. vs Samson Almy, The argument of this cause was continued by Mr Bradley for the appellee and concluded by Mr Reverdy Johnson for the appellant.

Proclamation being made the Court is adjourned until Monday morning at Eleven O'Clock.

See Book C for continuation of minutes.

YO

LUME

Monday December 29th 1831

Pursuant to adjournment the court met
morning, at the Capitol.

Present

The Honorable	Roger B Taney	Chief J
	John McLean	
	James M. Wayne	
	John Catron	
	Peter V. Daniel	Asso
	Samuel Nelson	Ass
	Robert C. Grier	
	Benjamin R. Curtis,	

Richard Wallach, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the court is open

On motion first made to the court
this terms it is ordered that Andrew G
field, Esquire of Mississippi and Virginius D
Esquire of Ohio be admitted to practice as att
and counsellors of this court and they
severally sworn accordingly.

Monday December 29th 1851 continued

41.	The United States Appls vs. Pierre Le Blanc's heirs.	On the motion of the Attorney General Crittenden it is now here ordered by the court that leave be and the same is hereby granted the respective counsel to submit this cause on the record and printed arguments

43.	The United States Appls vs. John M. Pintard's widow	On the motion of the Attorney General Crittenden it is now here ordered by the court that leave be and the same is hereby granted the respective counsel to submit this cause on the record and printed arguments.

71.	The United States Appls vs. Alexis Porche	On the motion of the Attorney General Crittenden it is now here ordered by the court that leave be and the same is hereby granted the respective counsel to submit this cause on the record and printed arguments.

The United States Appls vs Michael Moore	This cause was argued by Mr Attorney General Coulenden for the appls

The United States Appls vs J. A. B. Dauterive's heirs. Taylor for the appellees.	This cause was argued by Mr Attorney General Coulenden for the appellants and by Mr

Peter & Mark Pechinghan vs Appls P. C. McLean, assignee &c	On the application of Mr Chase it is now ordered by the court that the argument of this cause be and the same is hereby postponed for the present

P. C. McLean assignee &c vs Appls The Mechanic Bank of Cincinnati & John S. Buckingham & al.	On the application of Mr Chase it is now ordered by the court that the argument of this cause be and the same is hereby postponed for the present.

47.	Wyllys Lyman &al. Pltffs in Er vs. Bank of the United States	This cause was argued by Mr Phelps for the defendant in error.

101.	Union Bank of Louisiana. vs.) Appt. Josiah S. Stafford et ux.	Mr Harris of counsel for the appellees having filed and read in open court a suggestion of a

diminution of the record in this cause in the words and figures following to wit: "That on the answer of the said Josiah S. Stafford the following endorsements were made. viz:

1st. "Filed 24th July 1848.

Thos Bakes Clerk"

2. "Filed by order of court on the 26 July 1848

Thos Bakes Clerk"

which said endorsements do not appear in the record here filed." moved the court for a writ of certiorari to be directed to the Judge of the District Court of the United States for the District of Texas commanding him to certify forthwith what omissions shall be found to this court. On consideration whereof it is now here ordered by this court that a writ of certiorari be and the same is

hereby awarded. He be directed to the Judge of the United States court of the United States for the Western District of Texas commanding him that searching the record and proceedings in this cause he do further with reasonable what error shall be found therein that he have the same together with this writ before this court forthwith.

Elijah Peale Master &c
vs
Martha Phelps et al.

On the motion of Genl Henderson of counsel for the defendants in error it is now hereby ordered by the court that the motion fixed for this day be dismissed this cause be and the same is hereby set down for argument next Friday the 2d proximo.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Tuesday December 20th 1831.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C Grier	
	Benjamin R. Curtis	
Richard Wallach Esquire		Marshal,
William Thomas Carroll		Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf it is ordered that James W. Bryan, Esquire of North Carolina, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The United States plaintiffs
vs.
A. M. Watkinson et al.

and by Mr. Randy Johnson for the defendants in error.

The cause was argued by Mr. Attorney General Cushing for the plaintiffs in error

Joshua R. Sand admr. &c. plaintiffs
vs.
James Brown

for the defendant in error.

The cause was submitted to the court on the record and printed arguments by Mr. Marr

George W. Hope et al plaintiffs
vs.
William F. Ham

The cause was argued by Mr. Scott for the defendants in error

William Timms et al plaintiffs
vs.
Cornelius W. Lawrence

The cause was argued by Attorney General Cushing for the defendant, and submitted on a printed argument

Tuesday December 30th 1841 continued

argument by Mr. Patten for the plaintiffs.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Wednesday December 31st 1851

Pursuant to adjournment the court met this morning, at the Capitol

Present.

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate Justices
	Peter V. Daniel	
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis	

Richard Wallach Esquire Marshal,

William Thomas Carroll Clerk.

Proclamation being made the court is opened

On motion first made to the court and this being shewn it is ordered that Samuel Chilton Esquire of the District of Columbia be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly;

Gilbert A. Russell. Appt

24 vs

Daniel R Southard, Samuel C Tompkins and William G Bullitt and William H Pope administrators of James Burks deceased. William L Thompson guardian of James Burks Samuel Burks, Charles Burks and Nancy Burks infant children of James Burks deceased Matilda Burks, and John Burks heirs of said James Burks deceased.

On appeal from the circuit court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the District of Kentucky and was argued by counsel On consideration whereof it is the opinion of this court that the conveyance by Gilbert A Russell the complainant to James Southard and dated the 24th day of September 1827 as set out in the transcript of the record, was a mortgage, and that said Russell is intitled to redeem the same. Whereupon it is now here ordered adjudged and decreed by this court that the decree of the said circuit court in this cause be and the same is

hereby reversed with costs, and that this cause be and the same is hereby remanded to the said circuit court for further proceedings to be had therein in conformity to the opinion of this court and to law and justice may appertain

Pr. Mr. Jus Curtis.

The President Directors and Company of the Miners' Bank of Dubuque plaintiffs in error

vs

The State of Iowa, on the relation of the district attorney, defendant in error

This cause came on to be heard on the transcript of the record from the Supreme Court for the second judicial district of the State of Iowa and was argued by counsel. On consideration whereof, it is now hereby ordered and adjudged by this court that this cause be and the same is hereby dismissed for the want of jurisdiction

Pr. Mr. Justice Daniel.

Malcom Smith and Daniel Crawford executors of John McNeill deceased Appls

vs

54 Daniel McNeill.

On appeal from the district court of the United States for the Middle District of Alabama.

This cause came on to be heard on the transcript of the record from the district court of the United States for the Middle District of Alabama, and the appellants Malcom Smith and Daniel Crawford, executors of John McNeill deceased, having been three times solemnly called by the Marshal to come into court and prosecute this appeal, and failing so to do. It is thereupon, on the motion of the appellee by his counsel John J Williams Esqr, now here ordered adjudged and decreed by this court that this cause be and the same is hereby dismissed with costs.

Pr McCh. Jus. Taney

49. John Glenn dat. Appt
vs
The United States

On the motion of Mr Attorney General Lou
don it is now here or
dered by the court th
the cause be and the same is hereby ordered
for argument on Monday the 5th proximo.

53. John Lukamps admr. Appt
vs.
Seth McCants admr dec

Not cau
argued by Mr Rand
Johnson for the
appellant and sub
mitted on a printed argument by Mr Robinson
for the appellee.

Proclamation being made the court is adjourned
until Friday morning at 10 o'clock.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis	

Richard Wallach Esquire. Marshal

William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf it is ordered that Isahel Peck, Esquire, of Vermont be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

	Mary Barr &al pltffs &c	The motion to dis
86.	vs	miss this cause filed
	Mary Veath	by the 1st day this

ultimo was argued by Mr Bradley in support of the same and opposed by the Clerk of counsel for the plaintiffs in error. On consideration whereof it is now here ordered by the court that the said motion be and the same is hereby overruled...

	The United States pltffs	On the motion of the
166.	vs	Attorney General leave
	Thomas Reid et al	to enter, it is now here

ordered by the court that this cause be and the same is hereby set down for argument on Monday the 12th instant.—

	Elijah Veal's Exrs &c	On the motion of Mr
152.	vs	Henderson of counsel for
	Martha Phipps et al.	the defendant in error, it is

now here ordered by the court that the motion to dismiss this cause filed the 23d ultimo be and the same is hereby set down for argument on Thursday the 8th instant.

George W Hiza et al vs Jeffs in Er William L Mann	Mr Swann of counsel for the defendant in error now here moved the court for leave to argue this cause or to submit a printed argument in behalf of his client. Whereupon it is now here ordered by the court that said motion be and the same is hereby overruled.
George W Hiza et al vs Jeffs in Er William L Mann	Mr Robb now here moved the Court for leave for Mr Choate to submit a printed argument in behalf of the plaintiffs in error Whereupon it is now here ordered by the court that said motion be and the same is hereby overruled.
The proprietors Genesee Chief. Kelsey et al Plffs in Err vs Wing Pelyeugh et al	The argument of this cause was commenced by Mr Matthews for the appellants.

Proclamation being made this court is adjourned until Monday morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice.
	Johm. McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis.	
Richard	Wallach, Esquire,	Marshal.
William	Thomas Carroll,	Clerk.

Proclamation being made the court is opened.

Moses B. Ives. Jeffin Ex. vs. The Merchants Bank of Boston.

In error to the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the District

of Rhode Island and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

The Grand Gulf Railroad and Banking Company and Nejed Ingraham and George Read, assignees of said company, intervenors. Plffs in Er.

vs

John R. Marshall.

Error to the Supreme Court of the State of Louisiana.

29

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed for the want of jurisdiction.

per Mr Ch Justice Taney.

Monday January 5th 1852 continued.

	The proprietors Lancaster Ohio Railway Co. vs. Henry Pelphrey et al.	Argument of Counsel was continued Messrs Grant and Stewart for the appellees.
16		

	The State of Pennsylvania Comp vs. The Wheeling and Belmont Bridge company et al.	In Equity
2.		

The Commissioner appointed by this court the 29th May 1851 to take further proofs in this cause having performed that duty and reported to the court at this last term the manner in which said duty has been performed and it appearing that said Commissioner has employed several Engineers and clerks to aid him in said work, and that various expenses had been incurred by him on said account having filed on the 5th instant a statement of said expenses now in order that the parties to this controversy may be informed of the amount of means necessary to be provided to pay for said services and expenses. It is ordered

that the clerk of this court do examine witnesses and assert to other evidence for the purpose of ascertaining what is the proper compensation to be allowed to said commissioner and to the Engineers and clerks employed by him and also to ascertain the whole amount of expenses incurred by said commissioner: the report of the said commissioner being taken as prima facie true. And this said Clerk will also ascertain the amount of moneys already advanced by the respective parties and the manner in which they have been expended. All of which he shall report with a detailed account thereof to this court.

Proclamation being made the court is adjourned until tomorrow morning at 10 o'clock.

Tuesday January 6th 1852.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis	

Richard Wallach, Esquire Marshal.

William Thomas Carroll, Clerk.

Whereupon the court announced its opinion

On motion first made to the court on the behalf of it is ordered that W. H. Lane Esquire of New York, and Jack M. Lewis Esquire of Alabama, be admitted to practice as attorneys and counsellors of this court and it was accordingly so ordered.

	The peoples Insurance Chief Wise et al Exrs & Appts vs Henry Silzbugh et al	The argument of this cause was continued by Mr Seward for the appellees and concluded by Mr Mathews for the appellants.
54.		
	Albert Lockamps admr vs Appt Hall McCoulls admr et al.	The argument of this cause was continued by Mr Robinson for the appellees.
53.		

Proclamation being made the court is adjourned until tomorrow morning at eleven O'Clock.

Wednesday, January, 1st 1812.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Peyton R. Tarpley	Chief Justice
	John McLean	
	James Mc. Wayne	
	John Catron	Associate
	Peter V. Daniel	Associate
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis	

Richard Wallach Esquire Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court by this behalf it is ordered that Isaac Wallach Esquire of Maine be admitted to practice as attorney and counsellor of this court and he is so accordingly. —

Philip Wilbur Appt vs Samuel Almy,	On appeal from the circuit court of the United States for the District of Rhode Island.

40

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the District of Rhode Island, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said circuit court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said circuit court with directions to dismiss the bill of complaint with costs.

Per Mr Justice Curtis.

Greenbury Dorsey, Appt. vs Samuel Packwood.	On appeal from the circuit court of the United States for the Eastern District of Louisiana.

15

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the Eastern

District of Louisiana and was argued by counsel
On consideration whereof it is now here ordered
adjudged and decreed by this court that the
decree of the said circuit court in this cause
be and the same is hereby affirmed with costs.

Per Mr. Justice Grier.

Wyllys Lyman, Jacob T.
Marsh, John Peck & John
W. Peck. Appeals &c
vs
The President, Directors and
Company of the Bank of
the United States.

This cause came on to be heard on
the transcript of the record from the circuit
court of the United States for the District
of Vermont and was argued by counsel. On
consideration whereof it is now here ordered
and adjudged by this court that the judg-
ment of the said circuit court in this cause
be and the same is hereby affirmed with costs
and damages at the rate of six per centum
per annum. — Per Mr. Justice Baldwin.

William Winns and 6 Stockton Halsted pffs vs Cornelius W. Lawrence.	On a certificate of division in opinion between the Judges of the circuit court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the Southern District of New York and on the point or question on which the Judges of the said Circuit court were opposed in opinion and which was certified to this court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof it is the opinion of this court, that according to the true construction of the act of Congress of 30 July, 1846. intitled "an act reducing the duty on imports and for other purposes" glass tumblers the bottoms of which have been smoothed or flattened by the process of cutting or grinding, and glass tumblers which have been engraved on the sides by a similar process, should be charged with the duty of 40 per centum ad valorem, under schedule 13 of said act, as cut

[illegible] Exception, & as now here evidence and ar[illegible]
judged by this court that it be so certified to
the said Circuit court.

(Per Mr. Justice Daniel)

The United States Appellants
vs.
Joseph M. Wilkinson, Thos
Joseph Pedelini, John L. Lewis
Louis Pilsinger, Mandeville
Marigny, & John R. Grymes

Appeal from the
Circuit court of
the United States
for the Eastern
District of Louisiana

This cause came on to be heard on
the transcript of the record from the Circuit
court of the United States for the Eastern
District of Louisiana and was argued by coun-
sel. On consideration whereof it is now here
ordered and adjudged by this court that the
judgment of the said circuit court in this
cause be and the same is hereby reversed an
that this cause be and the same is hereby
remanded to the said circuit court with di-
rections to award a venire facias de novo. -

(Per Mr. Ch. Justice Taney.)

Joshua W. Wood admr of Mary Ann Lecte for &c		In error to the
80	vs	circuit court of the
James Brown		United States for the
		Eastern District of
		Louisiana.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

Pr. Mr. Ch. Jus. Taney.

The United States Appls		Mr. Attorney General
177.	vs	Crittenden of counsel for
Francis Pass' admr		the appellants moved the

court to assign a particular day for the argument of this cause. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider. —

Robt Lechamps alias &c. The argument of the
vs cause was continued
Nath. McCants alias &c. by Mr. Pelham for
the appellees and
concluded by Mr Treudy Senr for the appellants.

Rule No 60.

Ordered, That whenever any record transmitted
to this court upon a writ of error or appeal
shall contain any document, paper, testimony or
other proceeding in a foreign language, and the
record does not also contain a translation of
such document, paper, testimony or other proceeding,
made under the authority of the inferior court,
or admitted to be correct, the record shall not
be printed; but the case shall be referred to
this court by the clerk, and the court will,
thereupon remand it to the inferior court in
order that a translation may be there supplied
and inserted in the record.

Proclamation being made the court is adjourned
until ten o'clock morning at Eleven O'clock.

Thursday, January 8th 1852.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis.	

Richard Wallach, Esquire, Marshal

William Thomas Carroll, Clerk.

Proclamation having made the court is opened.

The United States Appts		On consideration of
1st	vs	the motion made in
Francis Pass' admr		this cause yesterday by
		Mr. Attorney General

Whereupon, it is now here ordered by the court that said motion be and the same is hereby overruled.

Thursday January 1st 1863 continued

The Slave &c &c Appellants
vs
The United States

The argument of this cause was commenced by Mr Webster for the appellants, and was continued by Mr Attorney General Bradley for the appellees and by Mr Purvis & Johnson for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock.

Friday January 9th 1852.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James Mc. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis	

Richard Wallach Esquire Marshal

William Thomas Carroll, Clerk.

Proclamation being made the court is opened

John Penn et al Appts	The argument of this
vs	cause was concluded
The United States	by Mr Pendy Johnson
	for the appellants.

153	Elijah Veale Executor &c vs Wm Pitts in Ex Martha Pitts et al	The motion of Samuel Henderson to dismiss this cause was argued by him in support thereof and opposed by Mr Turner of counsel for the plaintiffs in error. On consideration whereof it is now here ordered by the court that said motion be and the same is hereby overruled.
154	James Sundas et al. Appls vs Anne Hitchcock. and James Sundas et al. Appls vs Anne Hitchcock	The argument of these causes was commenced by Mr Findlay for the appellants and continued by Mr Stephens for the appellees.

Whereupon being made it appears the court is adjourned until Monday morning at eleven o'Clock. ——

Monday January 12th 1852

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable	Roger B Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis.	

Richard Wallach, Esquire Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

James Dundas et al. Appts

vs

Anne Hitchcock.

and

James Dundas et al Appts

vs.

Anne Hitchcock

The argument of these causes was continued by Messrs Hoss hins and Harper for the appellees

Monday, January

and concluded by Mr Carp

Proclamation being made th

until tomorrow morning at

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice.
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis	

Richard Wallach, Esquire, Marshal.

William Thomas Carroll Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf, it is ordered that Samuel M. Parsons, Esquire, of New York, and A. Judson Crane, Esquire, of Virginia, be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly. —

166

The United States - Plffs.
vs
Thomas Reid et al
& Messrs Crane and Scott

This cause was argued by Messrs Baynes and Murray Counsel for the plaintiffs, and for the defendants.

David Randon - Plff in Er.
vs
Jonas Phillips alias of Toby.

Messrs Purvis, Johnson and Harris of counsel for the plaintiff in error having suggested to the court here that since the judgment was rendered in this cause at its last term in favor of the representatives of said Toby, the said judgment has been fully paid; and the counsel for the defendant in error, George M. Dibble Esquire, having acknowledged that the said judgment had been fully satisfied and paid. The said counsel for the plaintiff in error therefore moved the court to direct satisfaction of said judgment to be accordingly entered upon the records of this court, and also to direct the clerk to endorse satisfaction of the judgment on each and every mandate that may heretofore be issued in this cause and to direct the clerk of the District Court of the United

State for the District of Texas not to issue execution on said judgment or on such mandates: On consideration whereof it is now here ordered by this court that the said motion be and the same is hereby overruled.

Isaac C. Smith. Appt
vs
Joseph M. Clark et al.

On appeal from the circuit court of the United States for the District of Massachusetts.

Mr Woodbury of counsel for the appellees having filed and read in open court the following certificate, to wit:

"United States of America
Massachusetts District. ss.

I, Isaac O. Barnes, clerk of the circuit court of the United States for the first circuit and District of Massachusetts, do hereby certify, that in a certain cause pending in said court wherein Isaac C. Smith was complainant and Joseph M Clark et als were respondents a final decree in said cause was made by the court on the twentieth day of October A.D. 1834 in favor of the said Joseph M Clark

of his Defendants as aforesaid. Whereupon an appeal was prayed by the said United States of America complainant as aforesaid, on the seventeenth day of October A. D. 1850, and on the thirtieth day of said October A.D. 1850 the said United States of America complainant as aforesaid filed a bond with sure ties in the sum of one thousand dollars.

And thereupon the execution of the said final decree was suspended, and the said appeal has operated as a supersedeas in said cause.

In Testimony whereof I have hereunto set my hand and affixed the seal of the said Circuit Court at Dubuque this thirtieth day of December A.D. 1851 and in the independence of the United States of America the seventy sixth.

Isaac O. Barnes Clerk"

and having stated that the said appellant had altogether failed to file the record of said case in this court, or in any way to prosecute said appeal, now here moved the court in pursuance of the 4th rule of this court to have this appeal docketed and dismissed. On

consideration whereof it is the opinion of the court that the filing of the case is too vague and uncertain. Whereupon it is now here ordered by the court, that the said motion be and the same is hereby overruled.

The State of Pennsylvania Complt. }
vs } In Equity.
The Wheeling, and Belmont Bridge Company et al.

The commissioner heretofore appointed in this case to testimony, having made his report of the expenses of executing the commission, and the said report together with the accounts and vouchers therewith returned having been referred by the court to the clerk, as master, to examine and report thereon, and the clerk having made his report stating the amount proper in his judgment to be allowed under the order of reference and the proofs before him. It is thereupon ordered that the said report be filed in the case, and that either party have leave to except in writing to any of the items or sums of money allowed by the clerk,

provided the said complaints be filed within ten days from the date of this order. And it is further ordered that a copy of this order be forthwith served by the clerk upon one or more of the counsel of each of the parties to the suit.

January 13. 1833.

Proclamation being made the court is adjourned until tomorrow morning at Eleven o'Clock.

Wednesday January 14th 1852.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James Mc. Dwayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis.	

Richard Wallach, Esquire, Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

	Samuel Sample et al. appts:	The cause having been called for
38.	vs	argument, and no
	Shadrach Barnes.	counsel appearing

ready to proceed with the same, it is now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of court.

Wednesday, January 14, 1852 continued

Reuben Clark et al Appts

vs.

Nathaniel Pinnell et al

The argument of this cause was moved by Mr. [illegible] for the appellants and continued by Mr. Meek for the appellees.

Ordered that the Court do adjourn until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James Mc. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R Curtis	
	Richard Wallach, Esquire,	Marshal,
	William Thomas Carroll,	Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf, it is ordered that Joseph Annin, Esquire, of New Jersey, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Francis C. St. Cyr appt vs Ed. W. Clark et al.	Mr Chief Justice Taney delivered the opinion of the court overruling the motion of the respondents to docket and dismiss this case under the rule on the ground that the setting of the case in the clerks certificate was too vague and indefinite.
The United States appts vs Richard Morris	On appeal from the District court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the District court of the United States for the Eastern District Louisiana and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said District court in this cause be and the same is hereby reversed and annulled and that this cause be and the same is hereby remanded to the said District Court with directions to enforce the finding of the Marshal..., for the Sea Letter.

	George W. Sizer & Henry Sizer . . Defts in Er	In error to the
51	vs	circuit court of the
	William V. Many	United States for the
		District of Massachusetts.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby affirmed with costs and damages at the rate of six per centum per annum.

By a divided court. —

	Christian Clark &al Appts	The argument of this
59	vs	cause was concluded
	Nathaniel Bannister &al	by Mr Evans for the
		appellants —

The Richmond Fredericksburg and Potomac Rail road Company.

vs

The Louisa Railroad Company.

The State of Pennsylvania. Compt.

vs

The Wheeling and Belmont Bridge Company et al.

The argument of these causes was commenced by Mr Robinson for the plaintiffs in error.

In Equity.

Ordered that the report of the Clerk of this court as master upon the expenses of executing the commission in the above mentioned cause be remanded to the clerk with directions to deduct the charges withdrawn by the counsel [illegible] report was made.

The State of Pennsylvania Compt.
vs
The Wheeling and Belmont Bridge Company and William Ottersan and George Croft.

In Chancery.

The report of the commissioner stating the expenses of executing the commission to take testimony in this case having been returned and referred by the court to the clerk as master to examine and report thereon, and the report of the clerk having been this day made, stating that the whole expenses amounted to $13.631.46; that the complainant had advanced to the said commissioner on account thereof the sum of $1531.51; that the respondents had advanced on the same account the sum of $290. and that there remains a balance of $11.809.95 due on said account and that the counsel for the respective parties have filed a written declaration waiving all exceptions to any part of said account or vouchers and stating that they do not mean to except to said report, nor desire any further time to examine or except to it: It is thereupon now here ordered by the court that the said report be and the

same is hereby confirmed: that the said complainant do pay over to the said commissioner the said sum of $11.00 to be distributed by him to the parties entitled according to the said account and it also appearing to the court that the said clerk should be allowed for making said report the sum of $50, it is further ordered by the court that the said complainant do pay the sum of $50 to the said clerk in consideration of said services. And it is further ordered by the court that the final decree as to costs between the parties to the said suit accord with the final decree of the court in the case.

Proclamation being made the court is adjourned until tomorrow morning at Eleven (11) o'clock.

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James Mc Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis	

Richard Wallach, Esquire, Marshal

William Thomas Carroll, Clerk

Proclamation being made the court is opened.

214 The United States plaintiff in Er. vs William Robinson defendant in Er. Mr Stanton on behalf of Mr Wilkins of counsel for the defendant in error having filed and read in open court the following motion, to wit." And now comes the defendant in error by his counsel and moves the court to strike out the papers attached

to and sent up with the record herein as bills of exception on the grounds

1. That the same have been irregularly, and improperly filed.

2. That they are defective and incorrect.

3. That they were never submitted to the counsel of the defendant in error nor any opportunity offered to make or suggest amendments or supply omissions.

4. That they do not properly constitute a part of the record.

William Wilkins. for defendant in error.
by E. M. Stanton."

now here proceeded to argue in support of the same. Whereupon it is ordered by the court that the further argument of the said motion be and the same is hereby postponed to next Friday the 23. instant.

"The United States) On motion on
) behalf of Mr. Wilkins of counsel for
215 vs) the defendant in
Hanna Cuny,)

---

error having filed and read in open court the following motion, to wit: "And now comes

the defendant in error by his counsel and moves the court to strike out the papers attached to and sent up with the record herein as bills of exception on the grounds.

1. That the same have been irregularly and improperly filed.

2. That they are defective and incorrect.

3. That they were never submitted to the counsel for the defendant nor any opportunity offered to make or suggest amendments or supply omissions

4. That they do not properly constitute a part of the record.

William Wilkins. for defendant in error.
by E. M. Stanton."

now here proceeded to argue in support of the same. Whereupon it is ordered by the court that the further argument of the said motion be and the same is hereby postponed to next Friday. the 23d instant.

Friday, January 16th 1835. continued

Junius Amis Appt vs David Myers		On appeal from the circuit court of the United States for the Eastern District of Louisiana.

Mr Lawrence of counsel for the appellant having filed and read in open court the following certificate, to wit:

"United States of America
Circuit court of the United States
Fifth Circuit and Eastern District
of Louisiana.

Junius Amis
vs } No 1603.
David Meyers. }

I, John W. Gurley, clerk of the circuit court of the United States for the Fifth circuit and Eastern District of Louisiana do hereby certify that on the 1st day of April 1831, a final decree was rendered in the above entitled cause in the words and figures following, to wit:

Junius Amis
vs } No 1603.
David Meyers }

The cause came on to be heard upon bill and answer, depositions and proofs. It is ordered adjudged and decreed and the court doth hereby order, adjudge and decree, that the injunction in this case be dissolved. It is further ordered, adjudged and decreed that complainants bill be dismissed and that he pay the costs of this suit.

Judgment rendered 7th April 1848.

Judgment signed 12th April. 1848.

Theo. H. McCaleb.

U. S Judge. (Seal).

and that on the 24th day of April 1848. an appeal was duly taken by the plaintiffs Dennis Amis from the said decree returnable to the Supreme Court of the United States according to law: all of which appears from the records remaining in this office.

In Testimony whereof I have hereunto set my hand and affixed the seal of the said court at the city of New Orleans this 3d day of January, 1852.

(Seal)

J. W. Darby,

Clerk."

and having stated that the appellant had
altogether failed to file the record of said
case in this court, or in any way to prosecute
said appeal now him moved the court to
have this appeal docketed and dismissed.
On consideration whereof, it is now here or-
adjudged and decreed by this court that the
appeal from the circuit court of the United
States for the Eastern District of Arkansas
be and the same is hereby docketed, and
dismissed with cost and that this cause
be and the same is hereby remanded to the
said circuit court for further proceedings to
be had therein in conformity to law and
justice the said appeal notwithstanding

Pr. Mr. Ch. Justice Taney.

The Richmond, Fredericksburg and Potomac
Rail road company Appellants & Plaintiffs in error

(vs)

The Louisa Rail road Company

and

(The Richmond, Fredericksburg & Potomac
Rail road Company Appellants & Plaintiffs in Er

102 vs

The Louisa Rail road Company.

The argument of these causes was continued by Messrs Lyons and Randy Johnson for the defendants.

Proclamation being made the court is adjourned until Monday morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning, at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John M. Lean	
	James Mc. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis	

Richard Wallach Esquire Marshal

William Thomas Carroll, Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf it is ordered that Thomas S. McCaig, Esquire, of Maryland, Stephen V. Villayer, Esquire, of New York, and John M. Maynard, Esquire, of Pennsylvania, be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly.-

The Lessee of William F. Raymond plff in Er. vs Nicholas Longworth	In error to the Circuit Court of the United States for the District of Ohio.

61

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the District of Ohio, and William F. Raymond, the Lessee of the plaintiffs in error having been three times solemnly called by the Marshal to come into court and prosecute this writ of error and failing so to do, it is thereupon, on the motion of Henry Stanbery, Esquire, now here ordered and adjudged by this court that this cause be and the same is hereby dismissed with costs.

Jo. Mr. Ch. Jus. Taney.

Myra Clark Gaines Appt vs Richard Relf et al.	Mr Ready, Johnson of counsel for the appellant moved the

78.

court to assign a peremptory day for the argument of this cause, whereupon the court not being now here sufficiently advised of and concerning what

order to render in the premises Rock time to
to-morrow.

The Richmond Fredericksburg and Potomac
Rail road company. (Def't in error
60 vs)
The Louisa Rail Road Company.

and

The Richmond, Fredericksburg and Potomac
Rail road Company. (Def't in Error.
162 vs)
The Louisa Rail road Company.

The argument of these causes was
continued by Mr Ryan Jenkins for the de-
fendants in error and concluded by Mr Lay
for the plaintiffs in error.

William W. Veal plaintiff. | The argument of
62 vs. | this cause was
Mary C. Fulton by her next | commenced by Mr
friend Charles T. Hicks. | Villages for the
| plaintiff in error

Proclamation being made the court is adjourned
until to-morrow morning at Eleven O'Clock

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James Mc. Wayne	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benjamin R. Curtis.	

Richard Wallach, Esquire, Marshal

William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf, it is ordered that William F. Frick, Esquire, of Maryland, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Tuesday, January 30th 1900 continued

62. William M. Shafroth
vs
Henry C. Austin by his next
friend Charles E. Wells

Upon motion of
this cause was con
tinued by the Court
for the defendant in
error and concluded
by Mr Billings for the plaintiff in error.

63. The United States Appellee
vs
Frederick W. Lehman
Adm of William Wilhoit

On the motion of
Attorney General Knox
leave of Counsel for
the appellants it is
now here ordered by the
court. that leave be and the same is hereby
granted the respective counsel to submit this
cause to the consideration of the court on the
record and printed arguments.

64. The United States Appellee
vs
Joseph. Marsh et al

On the motion of
the Attorney General
leave of Counsel for
the appellants it
is now here ordered by the court that leave be
and the same is hereby granted the respective
counsel to submit this cause to the consideration of
the court on the record and printed arguments.

The United States Appls vs James Johnston's heirs.	On the motion of Mr Attorney General Crittenden of counsel for the appellants it is now here ordered by the court, that leave be and the same is hereby granted the respective counsel to submit this cause to the consideration of the court on the record and printed arguments.

The United States Appls vs Willard Fenton et al.	On the motion of Mr Attorney General Crittenden of counsel for the appellants it is now here ordered by the court, that leave be and the same is hereby granted the respective counsel to submit this cause to the consideration of the court on the record and printed arguments.

The United States Appls vs Gilbert Leonard's widow et al.	On the motion of Mr Attorney General Crittenden of counsel for the appellant it is now here ordered by the court, that leave be and the same is hereby granted the respective counsel to submit this cause to the consideration

of the court on the record and printed arguments

The United States Appts
vs
Citizens Bank of Louisiana

On the motion of Mr. Attorney General Crittenden of counsel for the appellants it is now here ordered by the court. that leave be and the same is hereby granted the respective counsel to submit this cause to the consideration of the court on the record and printed arguments.

The United States Appts
vs
John McDonogh

On the motion of Mr. Attorney General Crittenden of counsel for the appellants it is now here ordered by the court that this cause be and the same is hereby continued to the next term of this court.

The United States Appts
vs
John McDonogh

On the motion of Mr. Attorney General Crittenden of counsel for the appellants it is now here ordered by the court that this cause be and the same is hereby continued to the

next term of this court.

66 The United States Appts vs John McDonogh

On the motion of Mr Attorney General Crittenden of counsel for the appellants it is now here ordered by the court that this cause be and the same is hereby continued to the next term of this court.

67 The United States Appts vs John McDonogh

On the motion of Mr Attorney General Crittenden of counsel for the appellants it is now here ordered by the court that this cause be and the same is hereby continued to the next term of this court.

68 The United States Appts vs John McDonogh

On the motion of Mr Attorney General Crittenden of counsel for the appellants it is now here ordered by the court that this cause be and the same is hereby continued to the next term of this court.

71. The United States. Appt.
vs
Alves Peache

The cause was submitted to the court on the record and printed arguments by Mr. Attorney General for the appellants and by Mr. Henderson for the appellee.

72. James C Nelson plaintiff
vs
Jonathan Haddleson

The argument of this cause was commenced by Mr. Price for the plaintiff in error and continued by Mr. Finch for the defendant in error

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice.
	John M'Lean	
	James Mc. M'Kayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis	

Richard Cutting Esquire Marshal.

William Thomas Carroll Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf, it is ordered that Charles Ballance, Esquire, of Illinois, Amory Holbrook, Esquire, of Oregon, and John Sherman, Esquire, of Ohio, be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly.

James C. Nelson plaintiff in error vs Jonathan Craddock defendant in error and submitted by Mr. Price for the plaintiff in error.	The appeal in this cause was continued by the plaintiff in error, for the defendant in error and submitted by Mr. Price for the plaintiff in error.
David B. Coman plaintiff in error vs James Phalen.	This cause having been called for argument and the counsel appearing ready to proceed with the same, it is thereupon now here ordered by the court that this cause be and the same is hereby passed to the foot of the docket under the 36th rule of court.
David B. Coman plaintiff in Error vs James Phalen.	This cause having been called for argument and the counsel appearing ready to proceed with the same, it is thereupon now here ordered by the court that this cause be and the same is hereby passed to the foot of the docket under

the 36 rule of court.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock

Pursuant to adjournment the court met this morning at the capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
	Chas. McLean	
	James M. Wayne	
	John Catron	Associate
	John A. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis	

Richard Wallach, Esqr. Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made, to the court in this behalf, it is ordered that Anson Mitchell Esqr. of New York be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

James Dundas. Mordecai D. Lewis. Samuel W. Jones. Robert L. Pitfield and Robert Howell. Appellants.

vs

Anne Hitchcock

On appeal from the circuit court of the United States for the southern District of Alabama.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the southern district of Alabama and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said circuit court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said circuit court with directions to dismiss the bill of complaint with costs.

Per Mr Justice Grier.

James Tundas. Mordecai
D. Lewis, Samuel Mc. Jones,
Robert L Pitfield and
Robert Howell. Appellants

v.

Anna Hitchcock

On appeal from the circuit court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the Southern district of Alabama and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said circuit court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said circuit court with directions to dismiss the bill of complaint with costs.

Jo. M. Pres. Thos.

Isaac Larman. Plaintiff in error

vs.

James Tisdale, Barney Tisdale, Mariah Tisdale, Daniel Tisdale, Mary P. Horton, Samuel D. Horton, Abigail M. Horton, Eleanor Horton, Elizabeth W. Horton, Martha Horton, Deborah Horton, Henry E. Tisdale and Simeon Tisdale, Heirs of James Tisdale, deceased.

On error to the circuit court of the United States for the District of West Tennessee.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the District of West Tennessee and Isaac Larman, the plaintiff in error, having been three times solemnly called by the marshal to come into court and prosecute this writ of error, and failing so to do; it is therefore upon the motion of the defendants in error by their counsel Frederick P. Stanton Esquire, now here ordered and adjudged by this court that this cause be and the same is hereby dismissed with costs.

Jo. M. Ct. Sur Copy.

73.	The United States Appts. vs Edward Simon	This cause was argued by the Attorney General Conditional for the appellants

74	The United States Appts. vs. John B. Labranche's heirs.	On the motion of the Attorney General Conditional of counsel for the appellants it is

here ordered by the court that leave be and the same is hereby granted the respective counsel to submit this cause to the consideration of the court on the record and printed arguments of counsel.

76.	The United States Appts vs Jacob Brandegee heirs	On the motion of the Attorney General Conditional of counsel for the appellants it is now here ordered by the court that this cause be and the same is hereby set down for argument next Monday the 28th instant.

78	The United States Appts vs Joseph Hughes	This cause was argued by Mr Attorney General Cuillenden for the appellants and submitted on printed arguments by Messrs Janin and Taylor in behalf of the appellee.

79	The United States Appts vs Joseph Hughes	This cause was argued by Mr Attorney General Cuillenden for the appellants and submitted on printed arguments by Messrs Janin and Taylor in behalf of the appellee.

80	The United States Appts vs Joseph Hughes	This cause was argued by Mr Attorney General Cuillenden for the appellants and submitted on printed arguments by Messrs Janin and Taylor in behalf of the appellee.

81.	The United States Appt vs The Chickasaw Indians &c.	On the motion of the Attorney General leave is granted the appellants to amend the record in this case by filing a transcript of the proceedings in the case of Cyrus McDermot vs Charles Mo. Gray et al.

It is now here ordered by the court that this cause be and the same is hereby continued to the next term of this court.

46.	Cyrus McDermot Appt vs Charles Mo. Gray et al.	This cause was argued by Mr Beverly Johnson for the appellants and submitted on a further argument by Mr Butterfield in behalf of the appellees.

Proclamation being made the court stands adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning, at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis	

Richard Wallach, Esquire, Marshal.
William Thomas Carroll Clerk

Proclamation being made the court is opened.

Abraham Rich et al. claimants of Ship Martha. Appts
vs.
Lambert and Brother and others.

Upon the application of Mr Hunt of counsel for the appellants it is now here ordered by the court that this cause be and the same is hereby postponed for the present.

	Abraham Rich et al. claimants of ship Martha. Appts vs South Carolina Rail Road Company.	Upon the application of Mr. Hunt of counsel for the appellants it is now here ordered by the Court that

this cause be and the same is hereby postponed for the present.

97	Alexander Crawford Appt vs J. Points assignee of H. Wolle.	The cause was submitted to the court on the record and printed arguments by Mr. Fully for the

appellant and by Mr. A. H. H. Stuart in behalf of the appellee.

98	George Hardie et al trustees of the estate of John Savage deceased. Appts in Er vs Delaware and Raritan Canal Company.	The cause having been called for argument and no counsel appearing ready to proceed with the same it is

now here ordered by the court that this cause be and the same is

hereby postponed to the foot of the docket under the 36th rule of court

91	Chas. D. Lawler et al vs. Jesse Wm & John Walker.	Upon the application of Mr. Chase of counsel for the defendants in error, it is now here ordered by the court, that this cause be and the same is hereby postponed for the present.
92	John Partington Sal. Plff in Er vs. The Planters Bank of Alabama and John Crawford Sal. Plff in Er vs. The Planters Bank of Alabama	These causes were argued by Mr. Campbell for the plaintiffs in error and by Mr. Hopkins for the defendants in error.
94	Andrew Erwin Appt. vs. William S. Fulton Sal.	This cause was argued by Mr. Reverdy Johnson for the appellant.

Samuel Dinsman. Jeff in Er. Mr Bradley of counsel
for the defendant in
Charles Wickes | error having filed and
read in open court
the affidavit of the defendant in error in the
words and figures following, to wit:

District of Columbia
Washington County } to wit

Be it known that on this 23d day of
January 1852 personally appeared Charles Wickes
of the City of Washington, before me the sub
scriber a justice of the peace in and for the
county aforesaid and makes oath according to
law. That he is the defendant in a certain cause
now pending in the Supreme Court of the United
States in which a certain Samuel Dinsman is
plaintiff which said cause was brought by writ
of error from the circuit court of the District
of Columbia; that Joseph H. Bradley, Esquire
an attorney of said circuit court was the
attorney and counsel of this deponent on the
trial of said cause in the said circuit court,
and this deponent understood and believes
that by the said Bradley would continue to
charge therein in the Supreme court as

remained and continued under such understanding and belief until some time during the week last past when he was for the first time informed by said Bradley that he did not consider himself engaged to attend to the said cause in the Supreme Court, and as no counsel appeared therein for this defendant, he feared this defendant was under some erroneous impression, and was relying on him. This deponent then stated his impressions to said Bradley and employed him as counsel.

This defendant has been informed and believes it to be true that the said record as sent up from the said circuit court does not contain the evidence given in the said court on the part of this defendant on the trial of the said cause, and he avers and states that he knows that much evidence was given and a statement thereof made out as part of the bill of exceptions. That he did not know the said facts until since the employment of said Bradley, as aforesaid as counsel in the Supreme Court; and he has caused a copy of said statement to be made and filed in this court, so that no delay need occur in having the same printed

and made part of said record, and he avers and declares that the delay in the employment of counsel in this court originated in a misapprehension on his part, and was not made for purposes of delay, and that he is desirous to have the said cause heard at as early a day as may be practicable.

W. Thompson. J. Peace.

and having also filed and read the following suggestion of a diminution of the record, moved for a writ of certiorari, to wit: "The defendant in error states and shows to this honorable court, that the record which has been transmitted to this court from the circuit court of the District of Columbia is defective and does not contain material parts of the said record: in this that the evidence which was given on the part of the said defendant on the trial of the said cause in the said circuit court, and a statement of which was made out and filed during said trial as part of the bill of exceptions, and which is essential to the understanding thereof has been wholly omitted from said record; and he files herewith a duly certified copy of said

Statement which shews that the same was filed as aforesaid and has been so omitted, and prays that the writ of certiorari may be sent to the said court to have the said record made complete.

Jos. H. Bradley
for Chs. Wickes".

the said counsel now proceeded to argue in support of the same, and which was opposed by Mr. May of counsel for the plaintiff in error. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Austin Miller's Lessee vs. Deft in Er W. & E. Taylor	Mr Stanton of counsel for the defendant in error having filed and read in open court the

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following statement and motion, to wit:

"John Coe ex dem Austin Miller
vs Deft in Er No. 119
Washington & Spencer Taylor Sup Ct U. S.

The assumed plaintiff in error begs leave to represent to the court that the

case has been erroneously docketed so as to mak
him the plaintiff in error, when in truth he is
the defendant in error: In the court below
judgment was rendered in his favor, and the defen
dants, who are now represented as the defendants
in error, took an appeal to this court, which in
order of precedence could not be passed upon
A writ of error was afterwards sued out by the
said defendants and the plaintiff was called to
appear at this court. By an error, which is
manifestly made clerical, the writ of error as
sumes to have been issued at the instance of
the plaintiff, which at the same time the
petition is addressed to the plaintiff and
proceeds upon the opposite supposition, whi
is the true state of the case. As there is no
appearance for the said defendants so that the
mistake could be corrected by agreement, the
plaintiff prays the court to cause the same
to be corrected and the parties to be reversed
in accordance with the plea and part of the
part of the record and proceedings of the
court below. And as in duty bound he will
ever pray &c

Ed. D. Hunter for the plaintiff below

It is thereupon now here ordered by the court that the clerk of this court correct the said clerical error in the writ of error and that he enter this cause on the calender of this court according to the motion of the said counsel for the defendant in error.

214	The United States for &c. vs. William Robinson Jr.	The argument of the motion filed by Mr Wilkins in this cause the 15th instant was continued by Mr Attorney General Crittenden in opposition thereto and concluded by Mr Stanton in support of the same.

214	The United States for &c. vs. William Robinson Jr.	In error to the circuit court of the United States for the Western District of Pennsylvania.

The Honorable Robert C. Grier an associate Justice of this court and who presided on the trial of this case in the said circuit court, having stated to this court that the bill of exceptions as it appears in the transcript of the

record subject to this court of errors and
defective. It is therefore now here ordered by
this court that a writ of certiorari be and
the same is hereby awarded. to be directed to
the Judges of the said circuit court and
commanding them that searching the record
and proceedings of the said circuit court in
this cause they forthwith certify to this
court under the seal of the said circuit
court a true full and perfect transcript of
the record in this cause.

The United States plaintiffs vs. Hanna Tenny,	The argument of the motion filed by the plaintiffs in this cause for the defendant was continued by Mr. Attorney General Knox in opposition thereto and concluded by the plaintiffs in support of the same.

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The United States plaintiffs vs. Hanna Tenny,	Transcript of the Circuit court of the United States for the Western District of Pennsylvania

The honorable Robert C. Grier an Associate Justice of this court and who presided on the trial of this case in the said circuit court having stated to this court that the bill of exceptions as it appears in the transcript of the record certified to this court is erroneous and defective, it is thereupon now here ordered by this court that a writ of certiorari be and the same is hereby awarded, to be directed to the judges of the said circuit court, and commanding them that searching the record and proceedings of the said circuit court in this cause they forthwith certify, to this court under the seal of the said circuit court a true, full and perfect transcript of the record in this cause.

Proclamation being made the court is adjourned until Monday morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis.	

Richard Wallach Esqr. Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made & the court in this behalf it is ordered that Edward Shippen Esqr. of Pennsylvania, Lunn P. Duncan Esqr. of Louisiana, F. Pinckney Henderson and William Pinckney Hill Esqrs of Texas be admitted to practice as attorneys and counsellors of this court and they were severally duly accordingly,

Charles Ballance. Pffin Er. vs Robert Forsyth et al.	This cause was submitted to the court on the record and further argument by Mr Ballance for the plaintiff in error and by Mr Gamble for the defendants in error.

The United States. Appts vs Jacob Brandegee's heirs &al.	This cause was argued by Mr Attorney General Wirt for the appellants and by Mr Scott for the appellees.

Samuel Dinsman. Pffin Er. vs Charles Wilkes.	The argument of this cause was commenced by Mr Addison for the plaintiff in error.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'Clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice.
	John McLean	
	James M. Wayne	
	John Catron.	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis.	
Richard Wallach Esqr.		Marshal.
William Thomas Carroll		Clerk.

Proclamation being made the court is opened.

Samuel Dinsman plaintiff in error } vs. } Charles Wilkes

The argument of this cause was commenced by Mr. Addison for the plaintiff in error & Mr. Bradley for the defendant in error and concluded by Mr. Key for the plaintiff in error.

Dofu of John Kennedy's exrs. vs. Doff in Er. Asgid R. Beebe Sal.	This cause was submitted to the consideration of the court on the record and printed arguments by Mr. Campbell for the plaintiff in error.

Proclamation being made the court is adjourned until tomorrow morning at 10 o'clock.

Pursuant to adjournment the court met this morning at the capitol

Present

The Honorable	Roger B. Taney	Chief Justice.
	Wm. Thos.	
	James Mc. Kenzie	
	John Catron	Associate
	Jno. L. Canon	Justices.
	Henry Baldwin	
	Robert C. Grier,	
	Benjamin R. Curtis.	

Richard Cranch Esquire Attorney

William Thomas Carroll Esq. Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf it is ordered that Rufus G. Brandon, Esquire, of New York, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Mary Clark Gaines Appt vs Richard Relf et al	The argument of this cause was commenced by Mr Reverdy Johnson for the appellant.

Proclamation being made the court is adjourned until tomorrow morning at Eleven Oclock

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis.	

Richard Wallach, Esquire, Marshal.

William Thomas Carroll, Clerk.

Proclamation being made the court is opened

On motion first made to the court in this behalf, it is ordered that R. W. Peckham, Esquire, of New York, and James Campbell, Esquire, of Pennsylvania, be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly.

98	Mayer Clark Gaines. Appts. vs Richard Relf et al	The argument of this cause was continued by Mr Reverdy Johnson for the appellant. and by Mr Duncan for the appellees.

Proclamation being made the court is adjourned until tomorrow morning, at Eleven O'Clock.

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel McLean	
	Robert C. Grier	
	Benjamin R. Curtis.	

Richard Wallach, Esquire, Marshal

William Thomas Carroll Esq. Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf. it is ordered that Andrew J. Hansell, Esquire of Georgia, and Ambrose Sibley Esquire of New York, be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly

John McStills exors &c.
vs
Daniel McStill.

Mr Pryor of counsel for the appellants having filed and read in open court the following affidavit "In open court comes James M. Pryor who being sworn says that he was retained as counsel for said appellants in this court early in the year 1831. that they expected him only, to attend to the case for them in this court. that his associate counsel did not expect to be at the court when the case should be reached, that affiant intended and expected to be here before the case should be reached. that from the progress of the business of the court at former terms he believed the case would not be reached before the middle of the present month. that he was in the State of Alabama at his late residence where he learned from the newspapers of this city the progress of the business in the court. that as soon as he learned the court had reached case number forty he left that State for this city and arrived here on the fifth day of the present month when he found the case was dismissed on the day of December last. that had he known or believed the case would be reached before the

last day of the present month he would endeavor
have left Alabama in time to argue the cause
when it was called and determined that he expe
ted intended to come to this city early in the
month of December last for the purpose of a
tending this court but was detained at his re
sidence by important Business which however
would not have detained him had he known
or believed the case would be reached before
the present month.

W. H. W. Tyler"

Sworn to in open court
Wm. Thos. Carroll
Clk. Sup. Ct. U. S."

moved the court to reinstate this case on the
docket for the reason stated in said affi
davit whereupon it is now here ordered by the
court that the said motion be and the same
is hereby postponed for the present.

Hanson Fairmont Plaintiff
vs
James W. Tuttle. 133

Mr. Tyer of
counsel for the
defendant in error
having filed and
read in open court the following affidavit to

open court comes James W. Payor who being duly sworn deposes and says that he was of counsel for the said defendant in error in the court below. that the order made by the District court at May Term 1850 by which the clerk was forbidden to issue execution on said judgment was made upon the sole ground that when the said plaintiff took the appeal in said case he intended to take the case to the Supreme court and to supersede the judgment. that when said order was made this affiant had applied to the clerk of said District Court to have execution issued on said judgment and that the clerk refused to issue one. and that the said judgment remains wholly unsatisfied

J W Payor

Sworn to in open Court.

Wm Thos Carroll,

Clk Sup Ct U S."

and having also filed and read in open court the following statement and motion "At the fall Term of the District court for the Middle District of Alabama in the year 1849 the defendant recovered a judgment against the plaintiff for $3648:00.

Before the court adjourned and within ten days after the recovery of the judgment the plaintiffs took an appeal to the Supreme Court and executed an appeal bond..

Present

Friday February 4th 1852

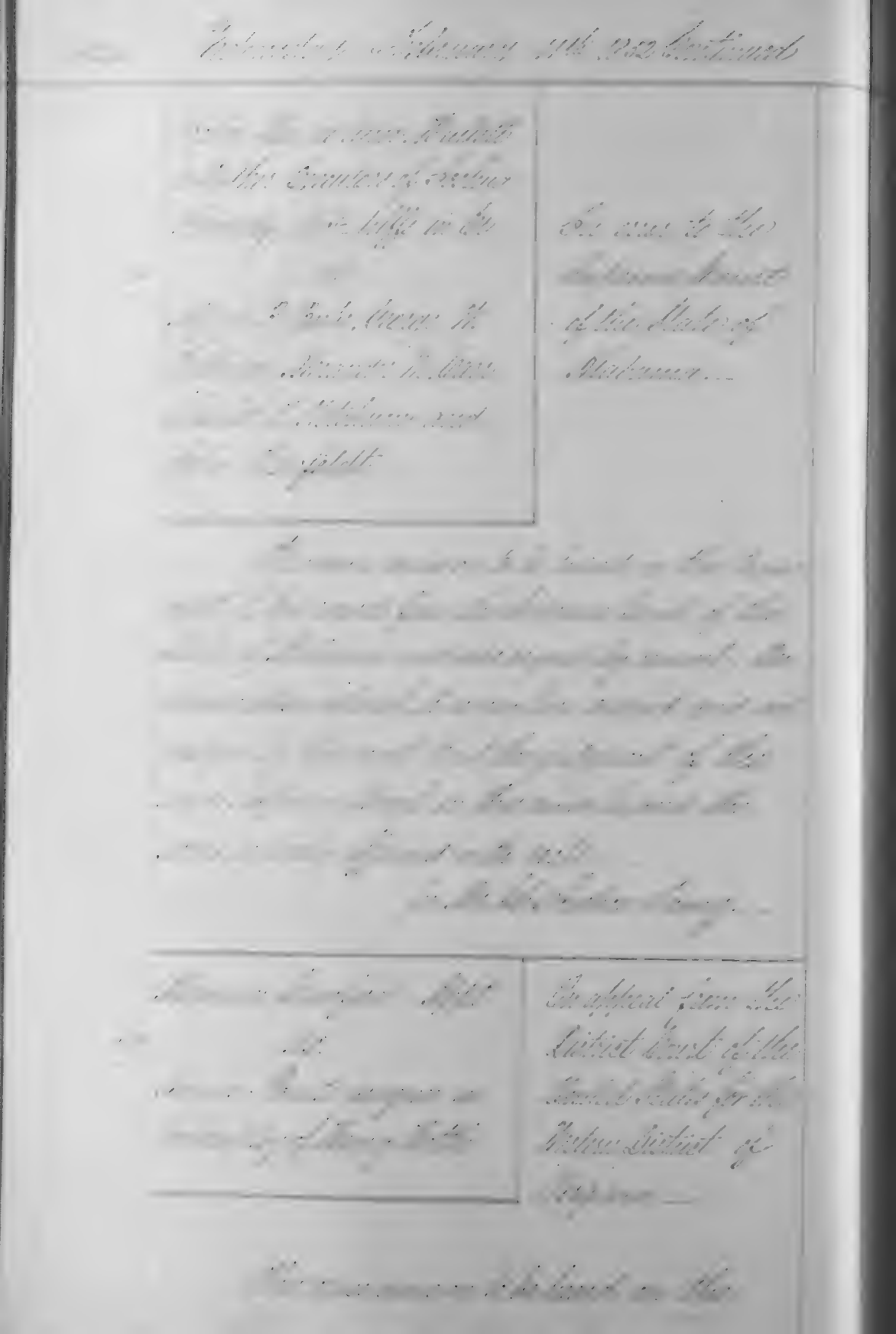
Present

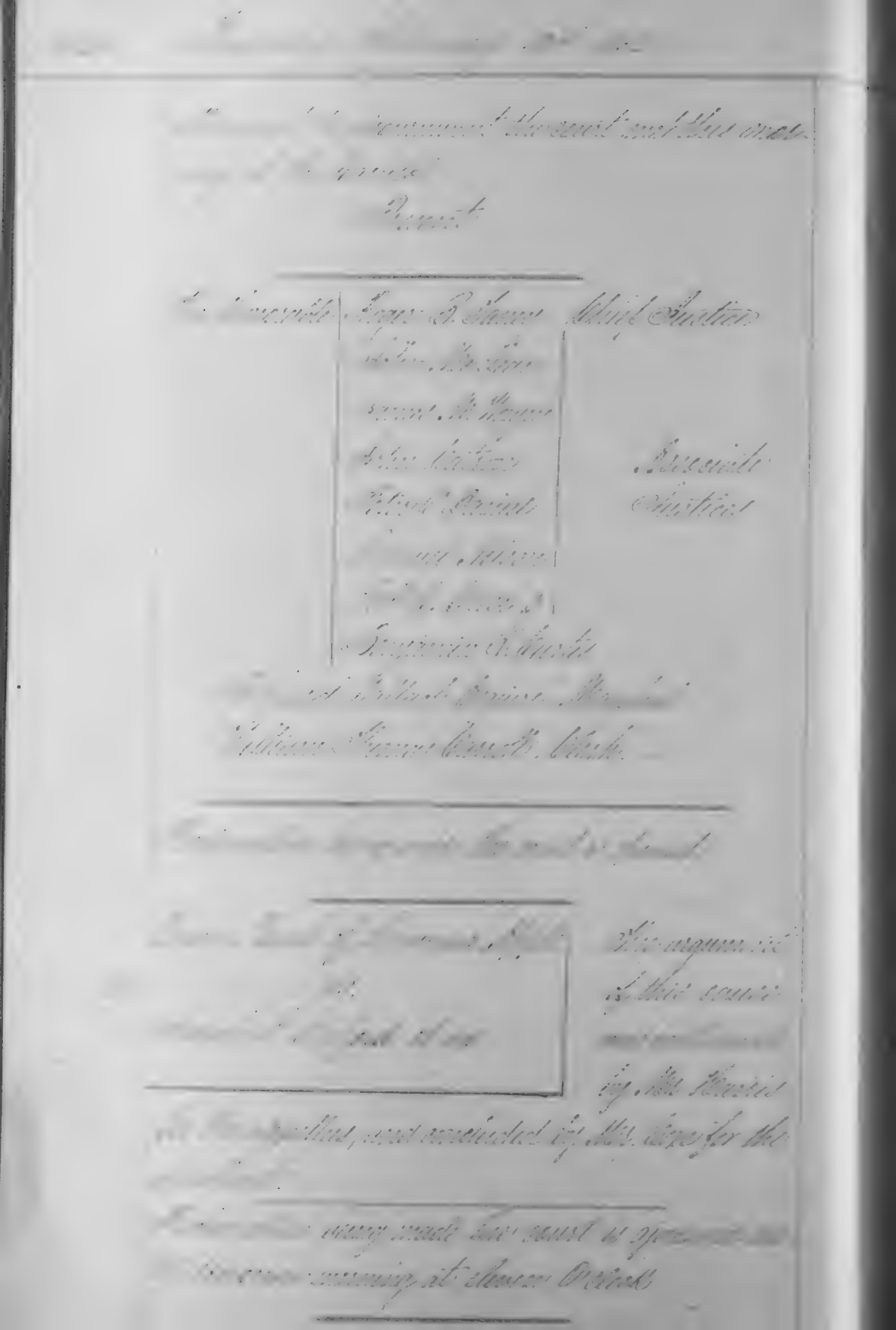
		Chief Justice
		Associate Justices

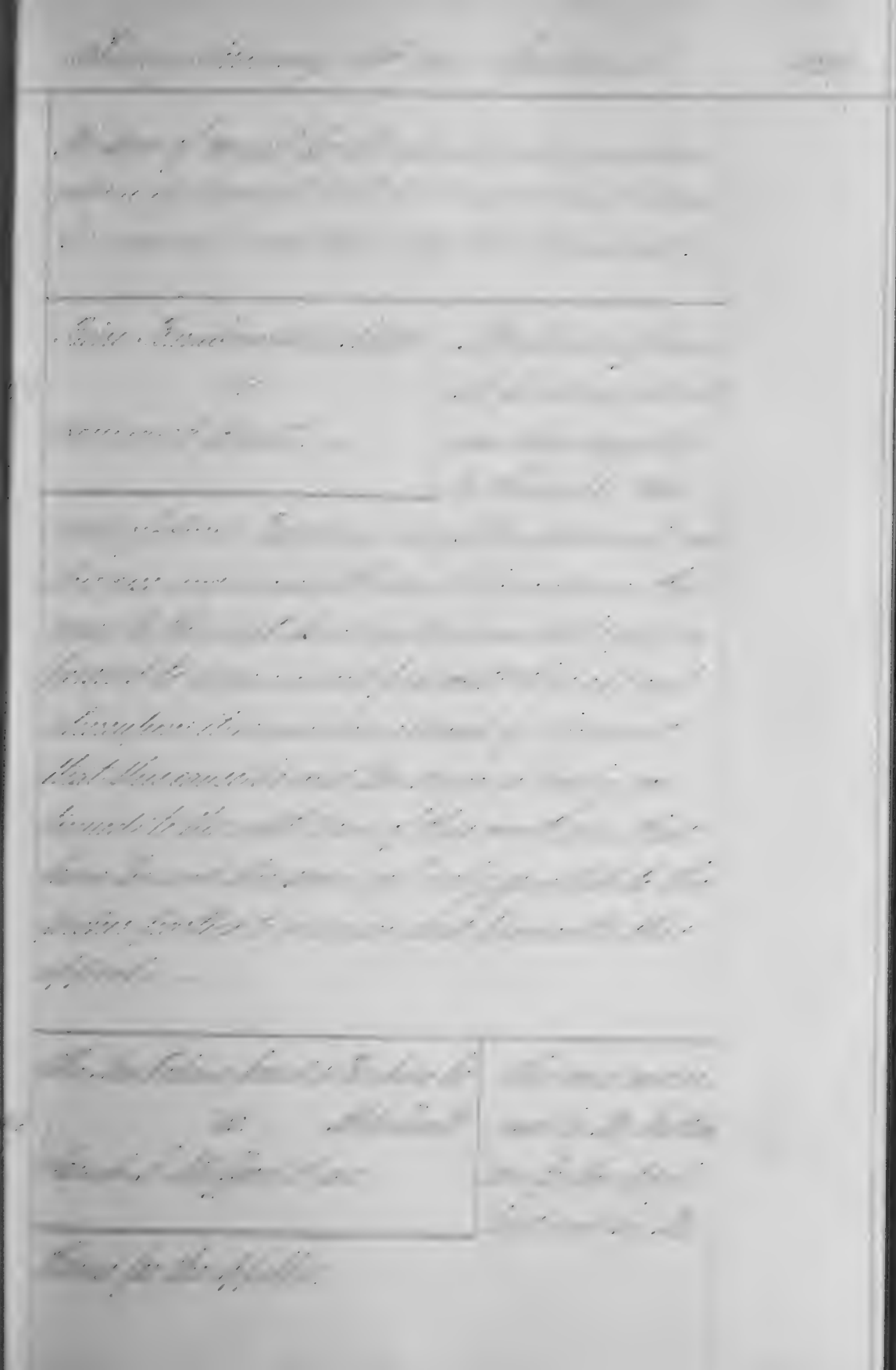
It is now here ordered and ordered that it be so certified to the said

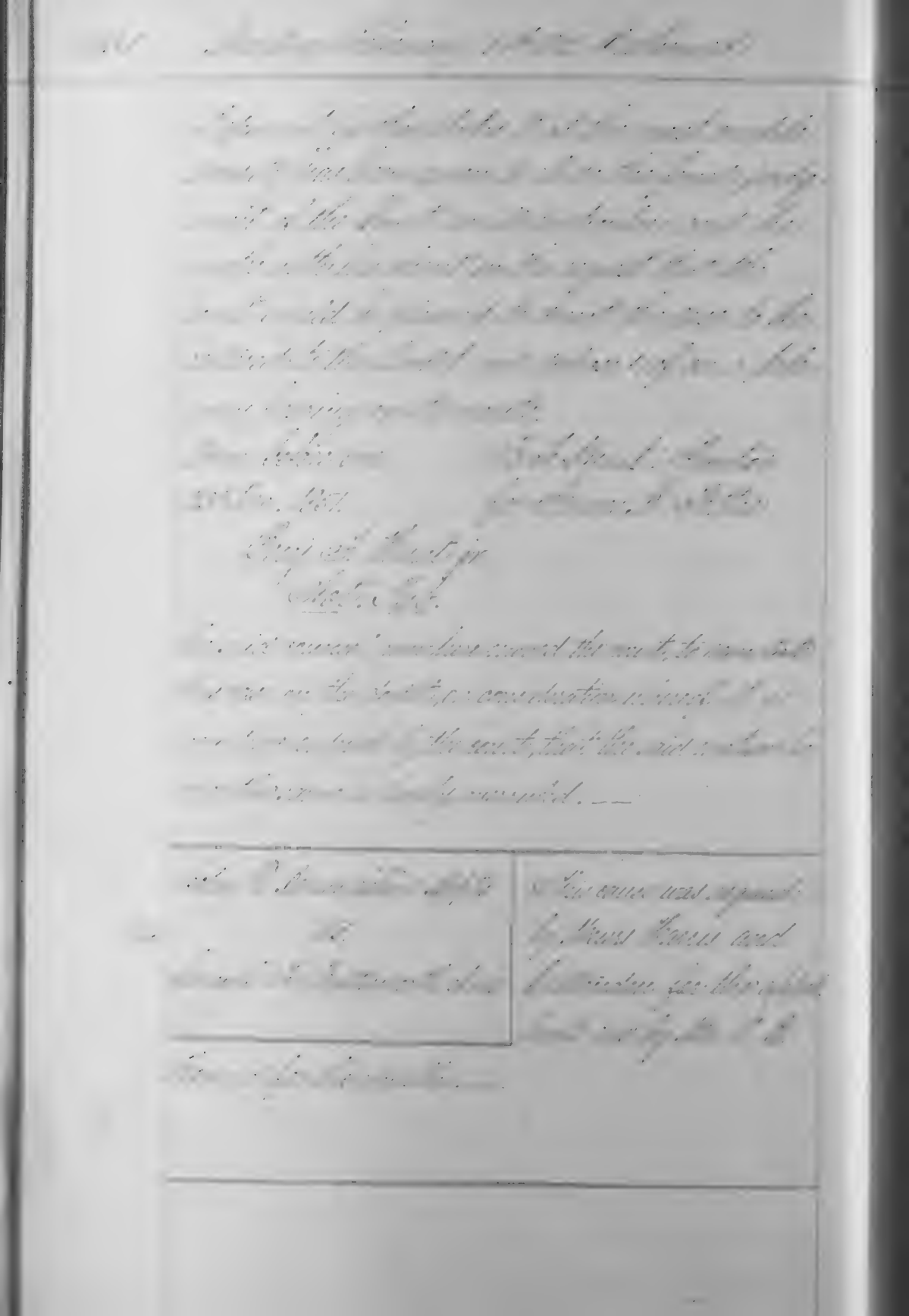
It is now here ordered by the said Court that the writ made in this cause

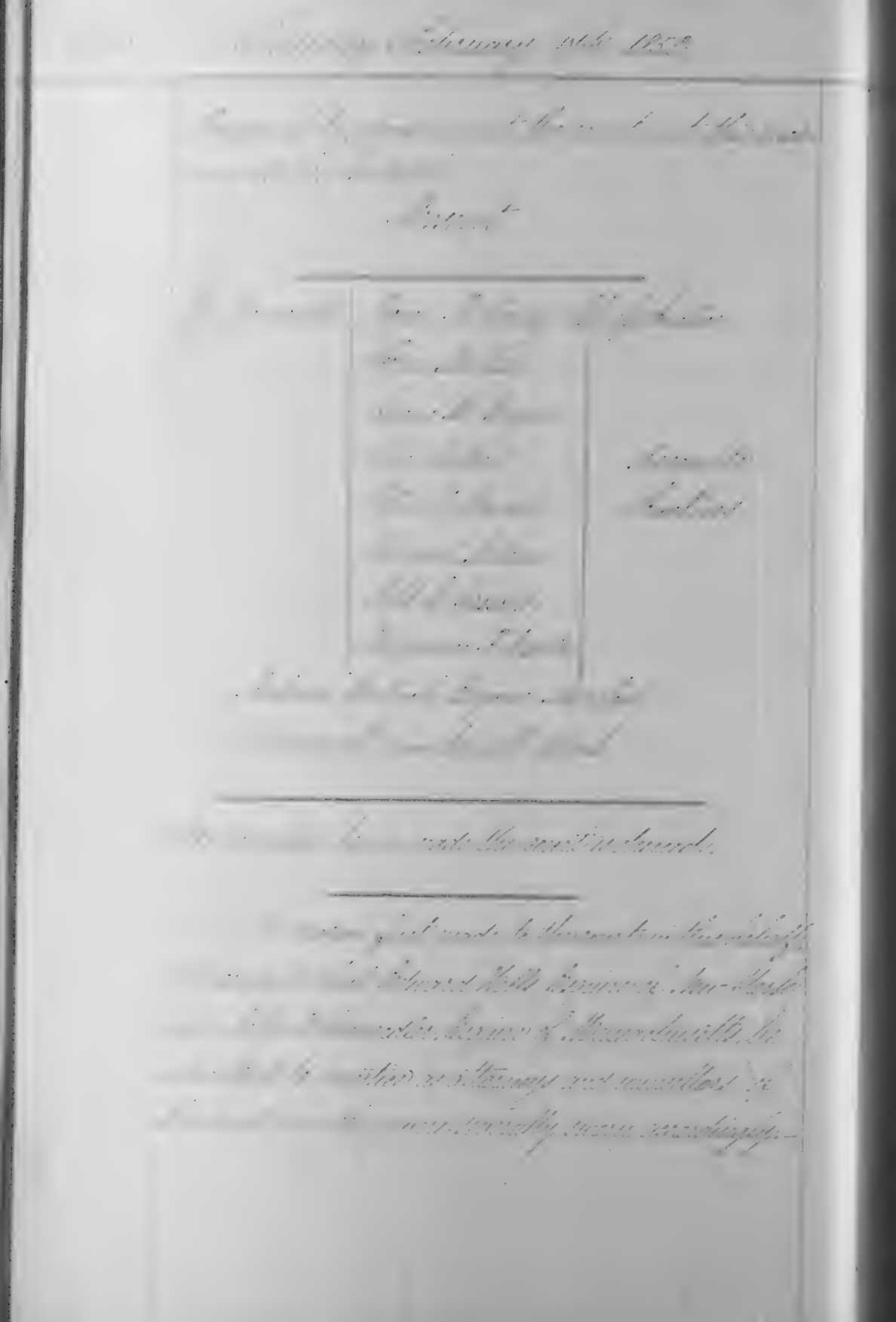
It is now here ordered by the said Court that the writ made in this cause

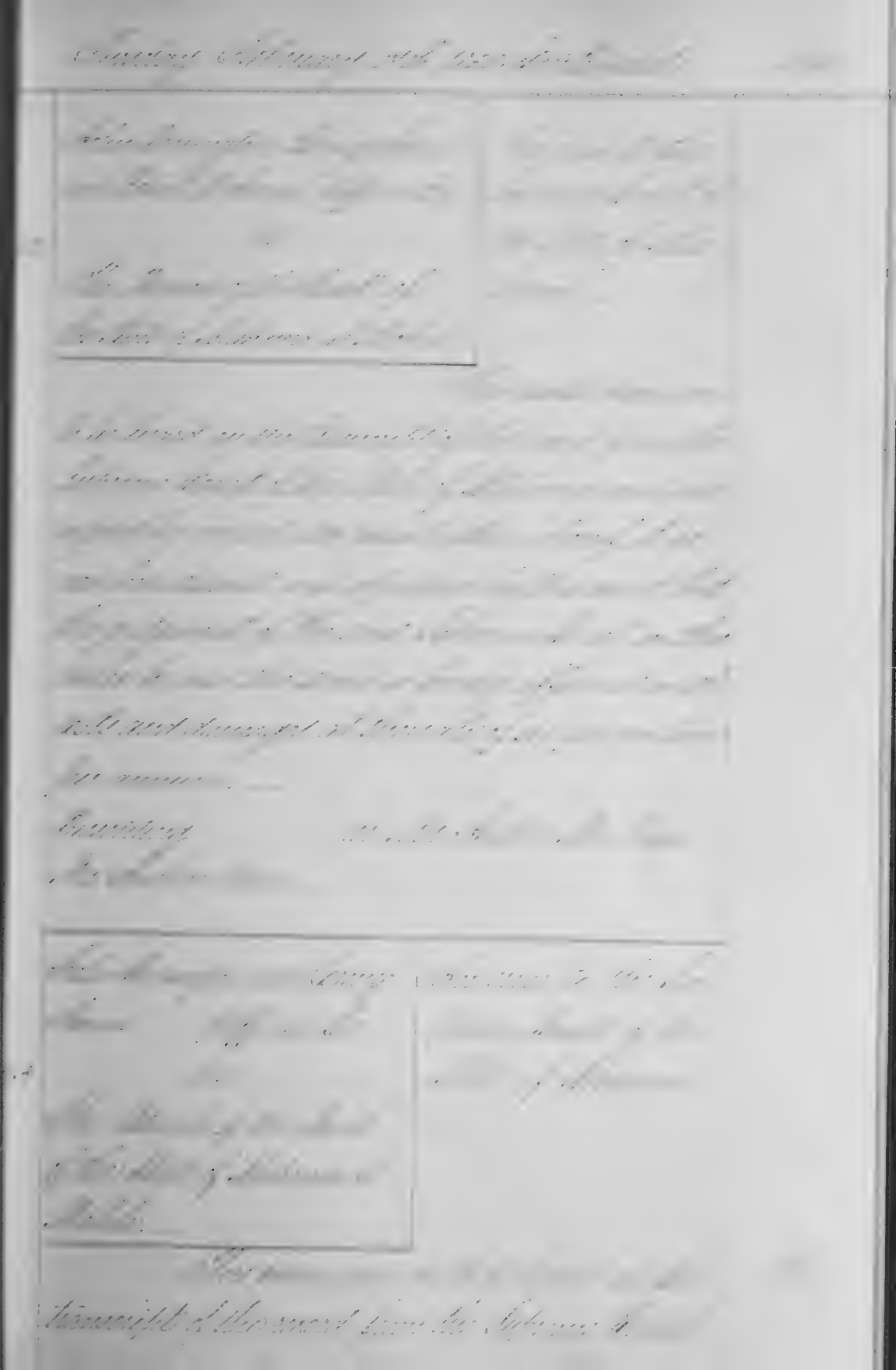


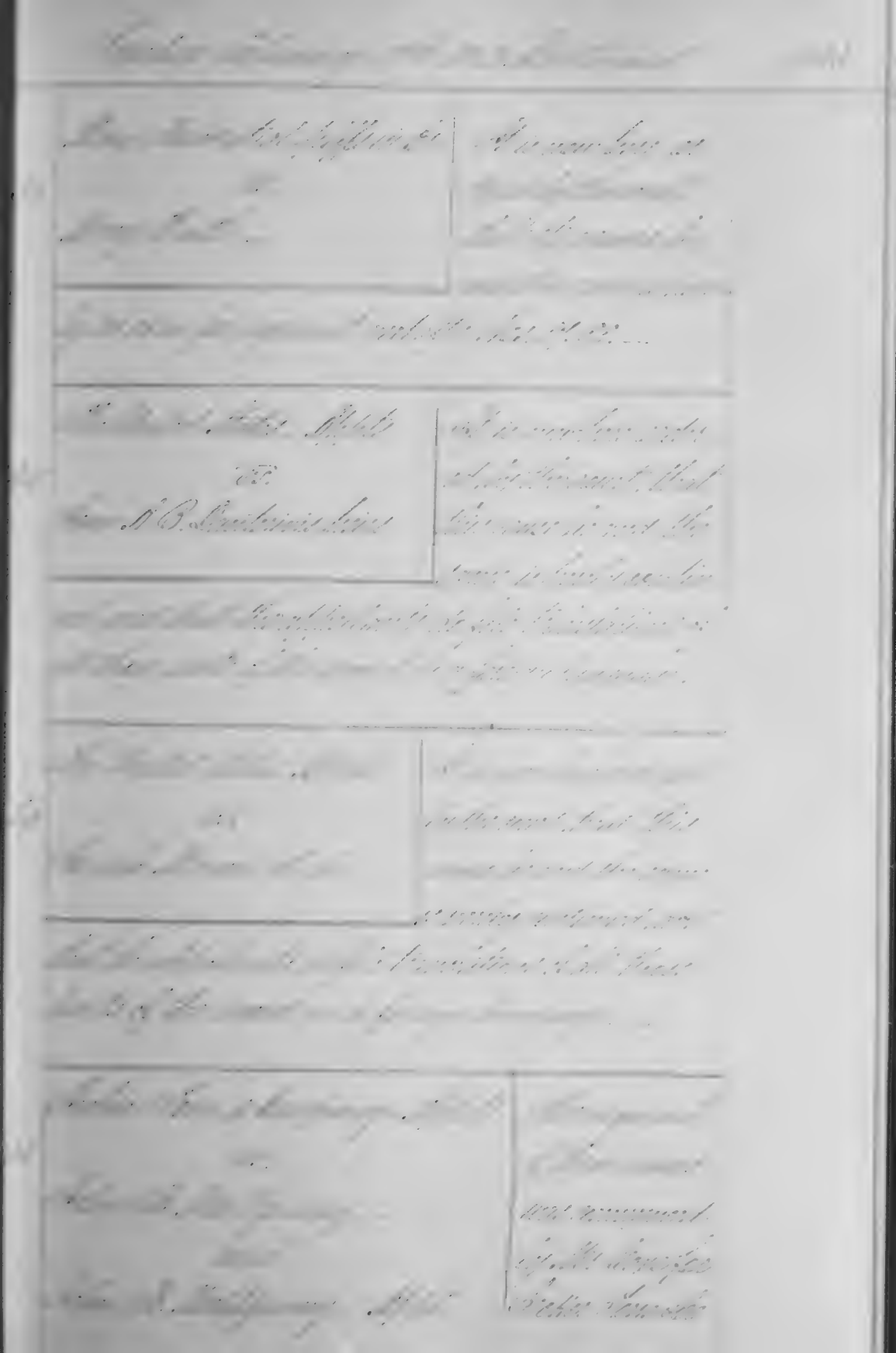






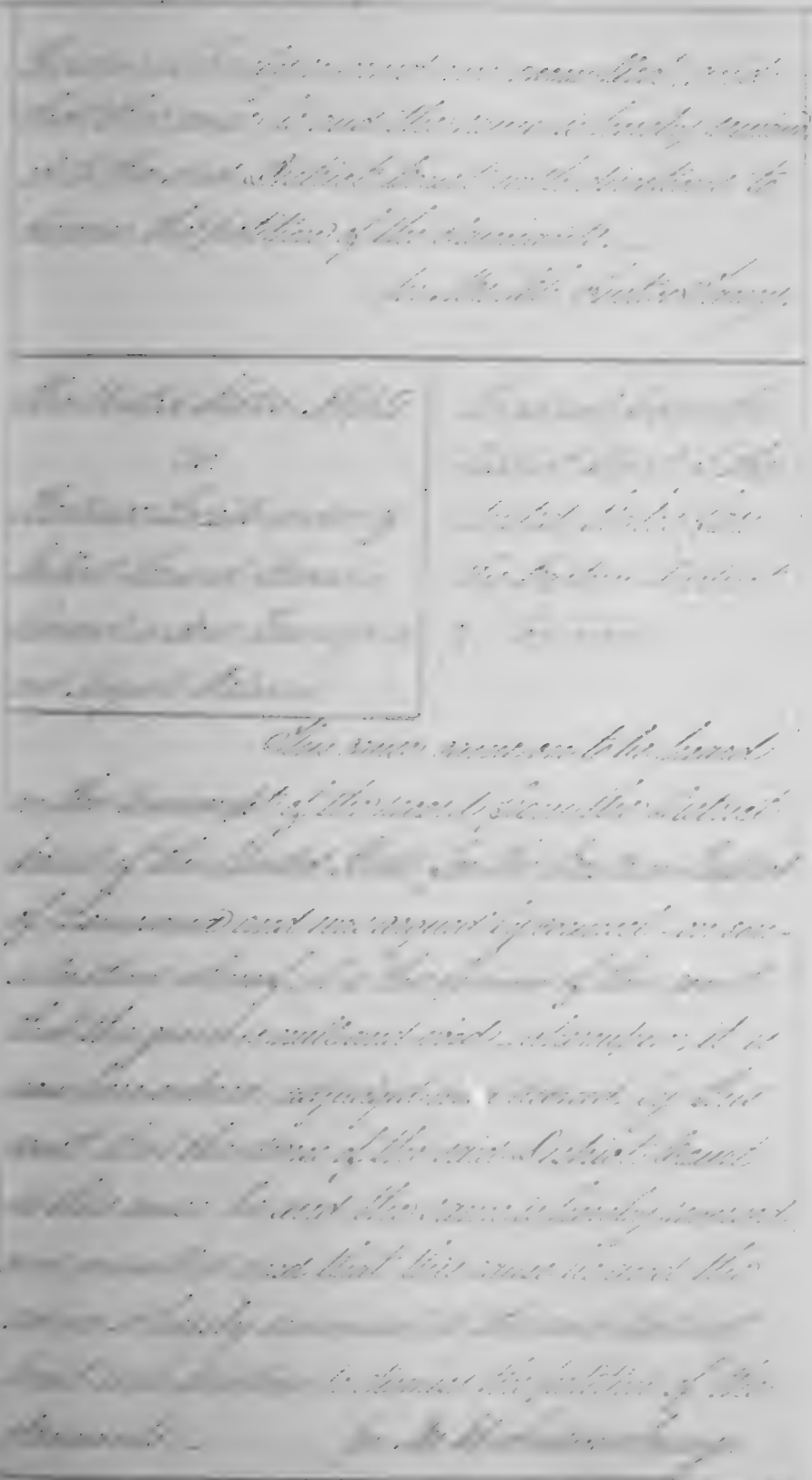


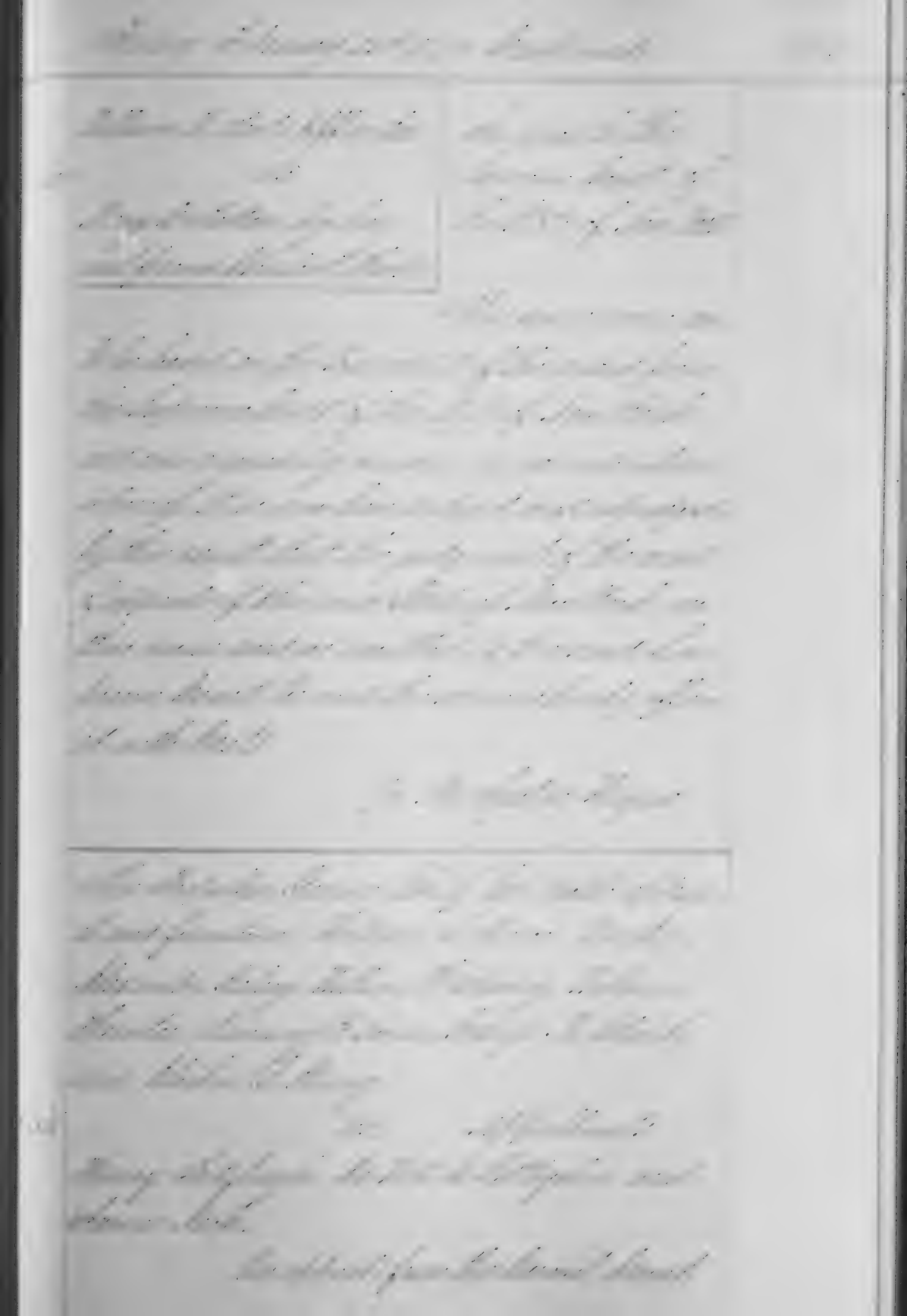


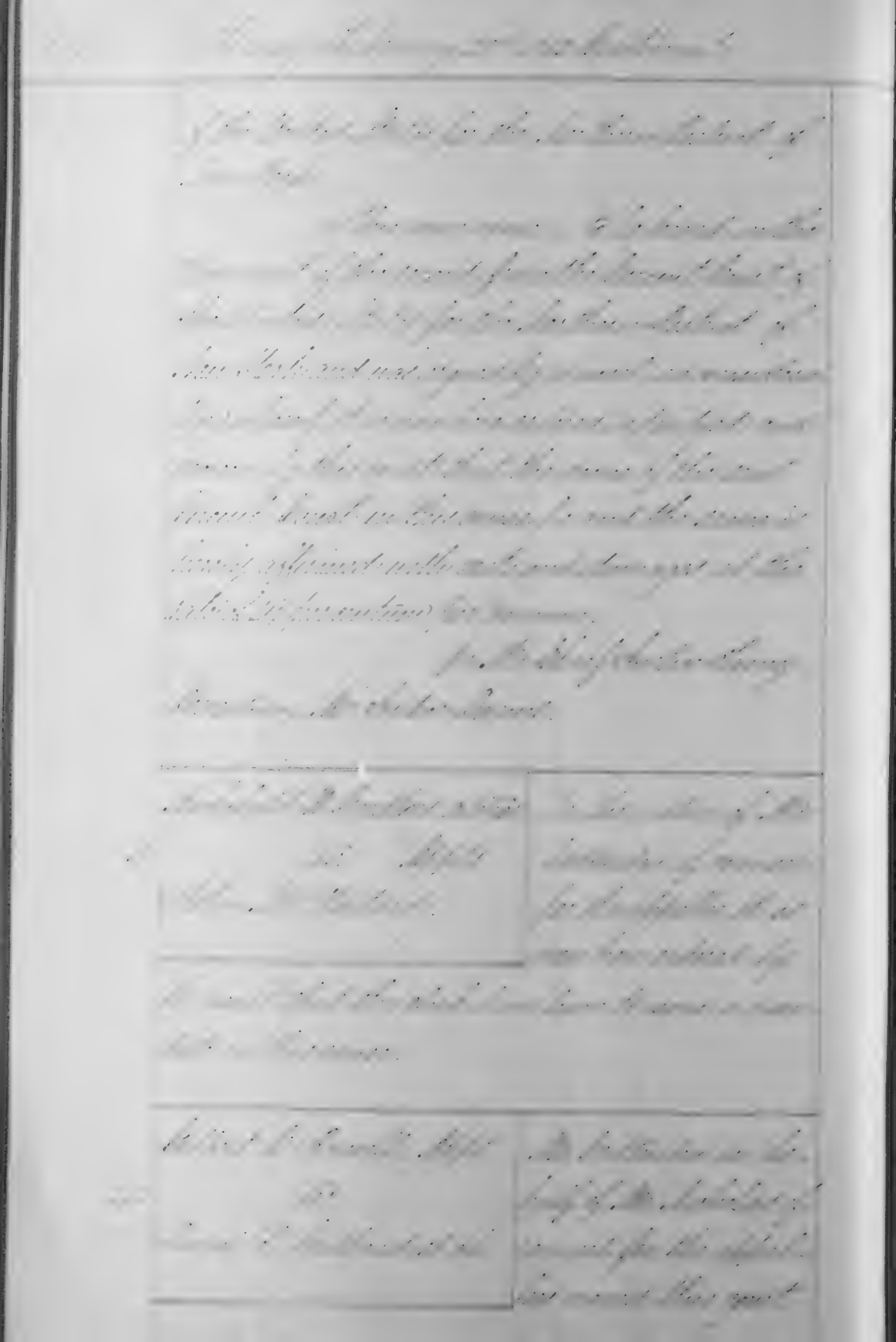


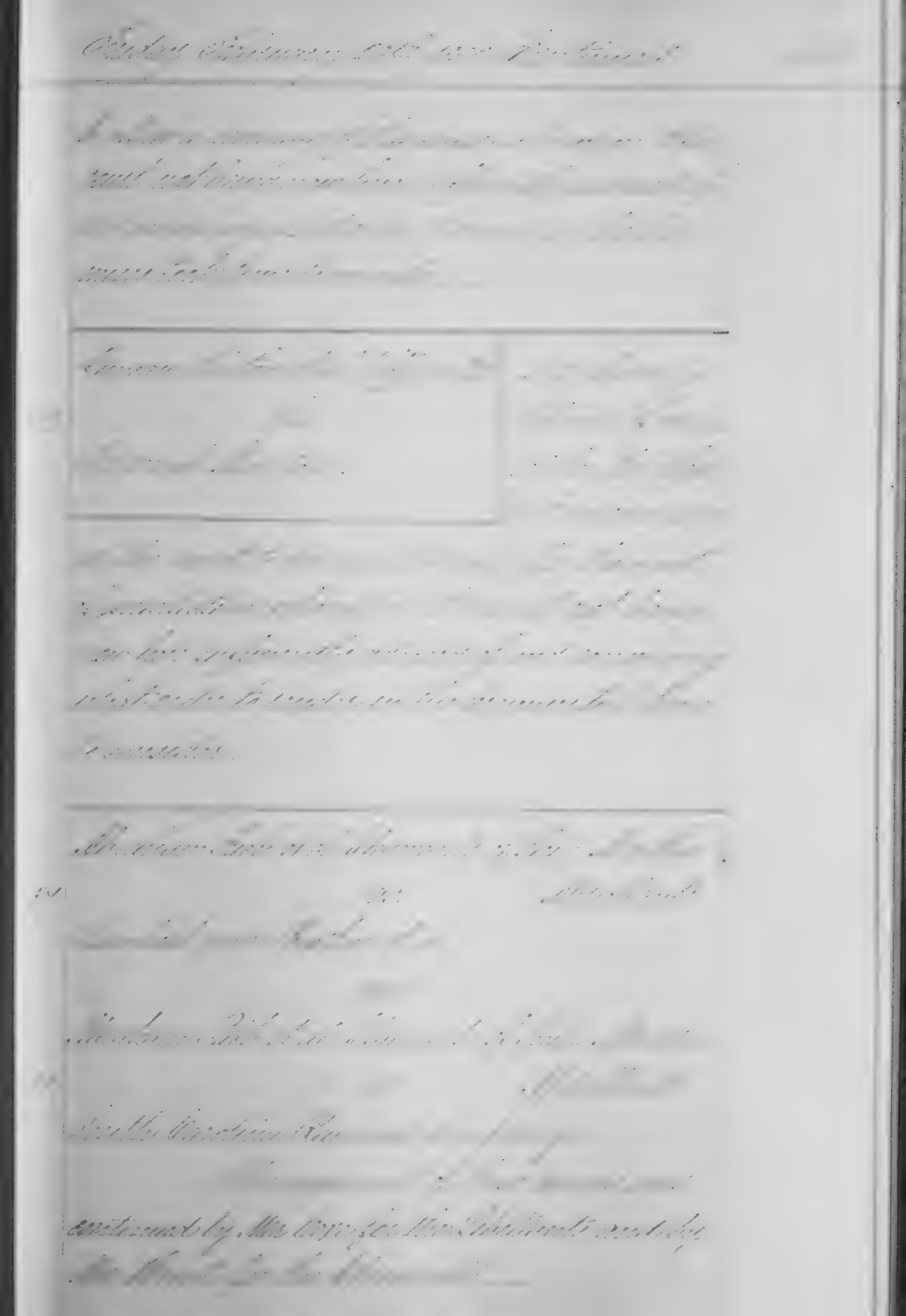
January 1852 Continued

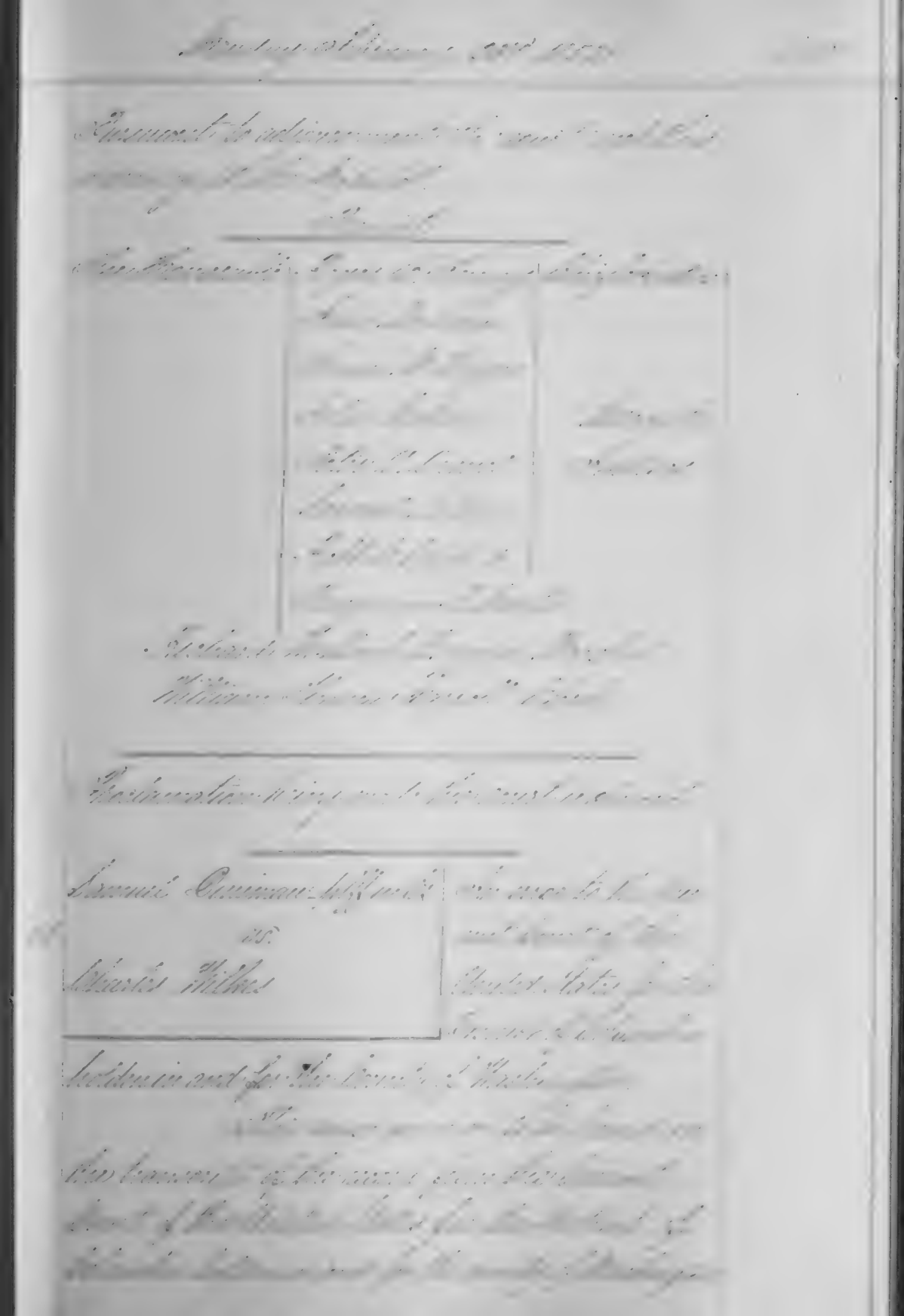
January 17th 1852. Continued

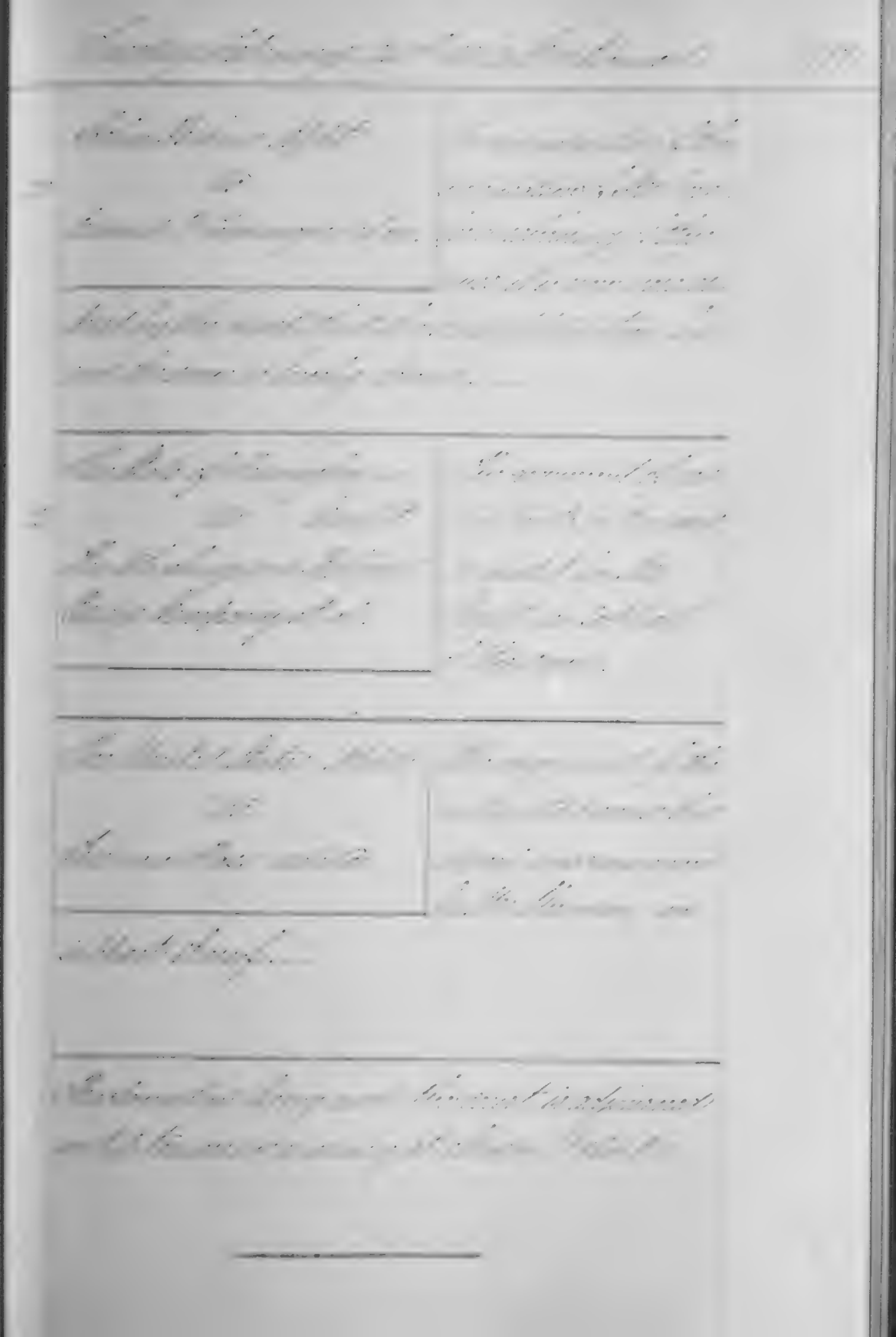


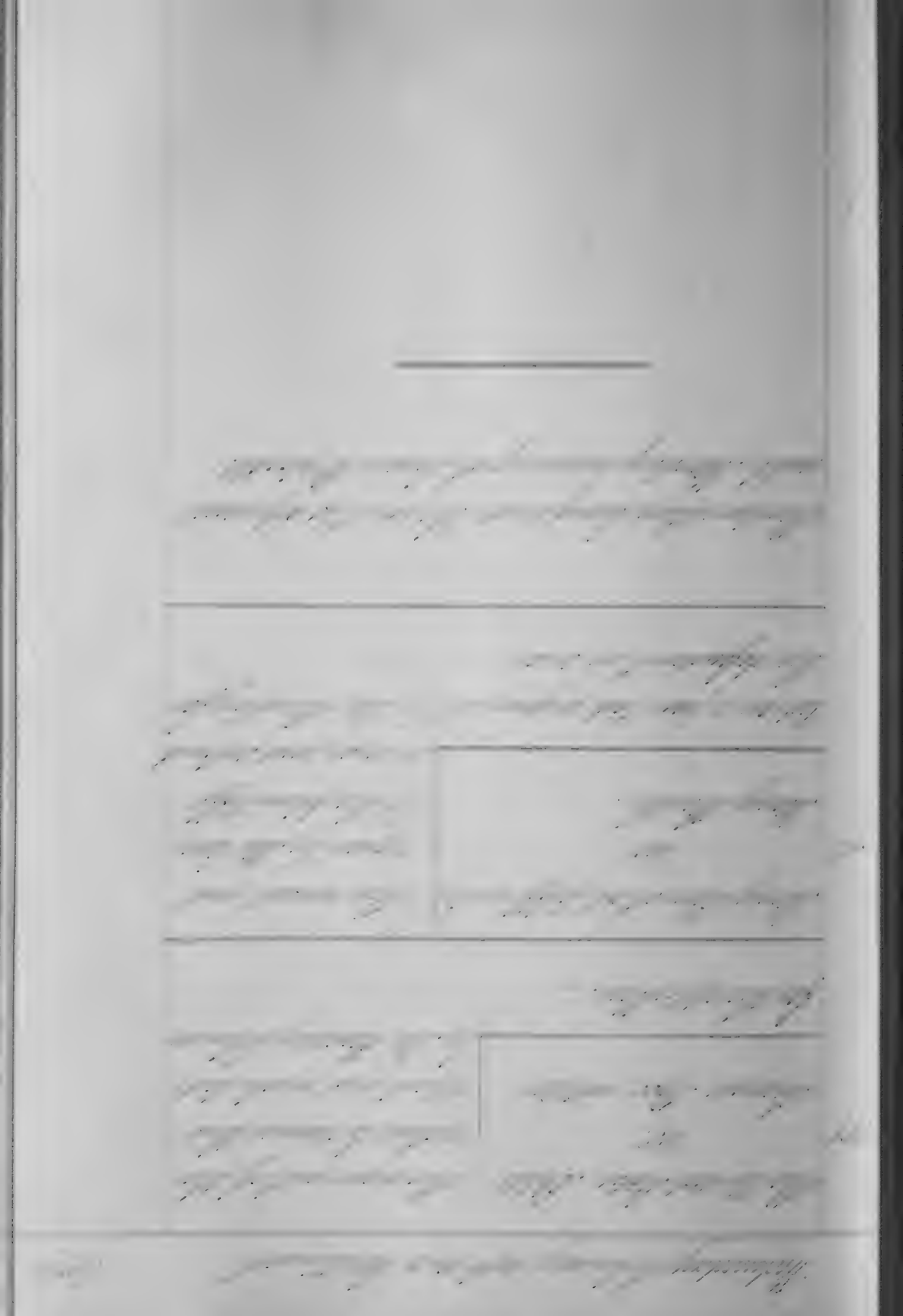












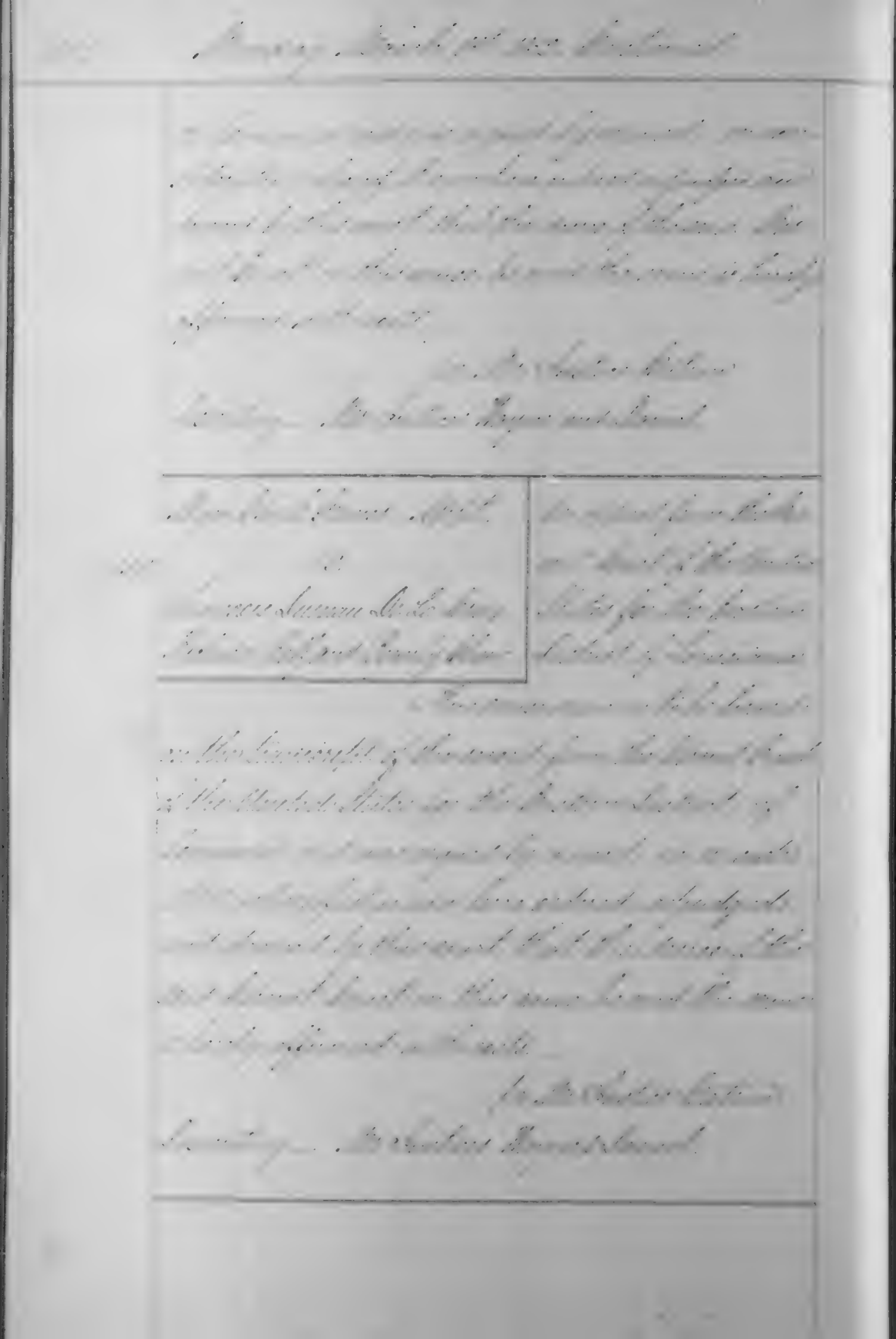
Present

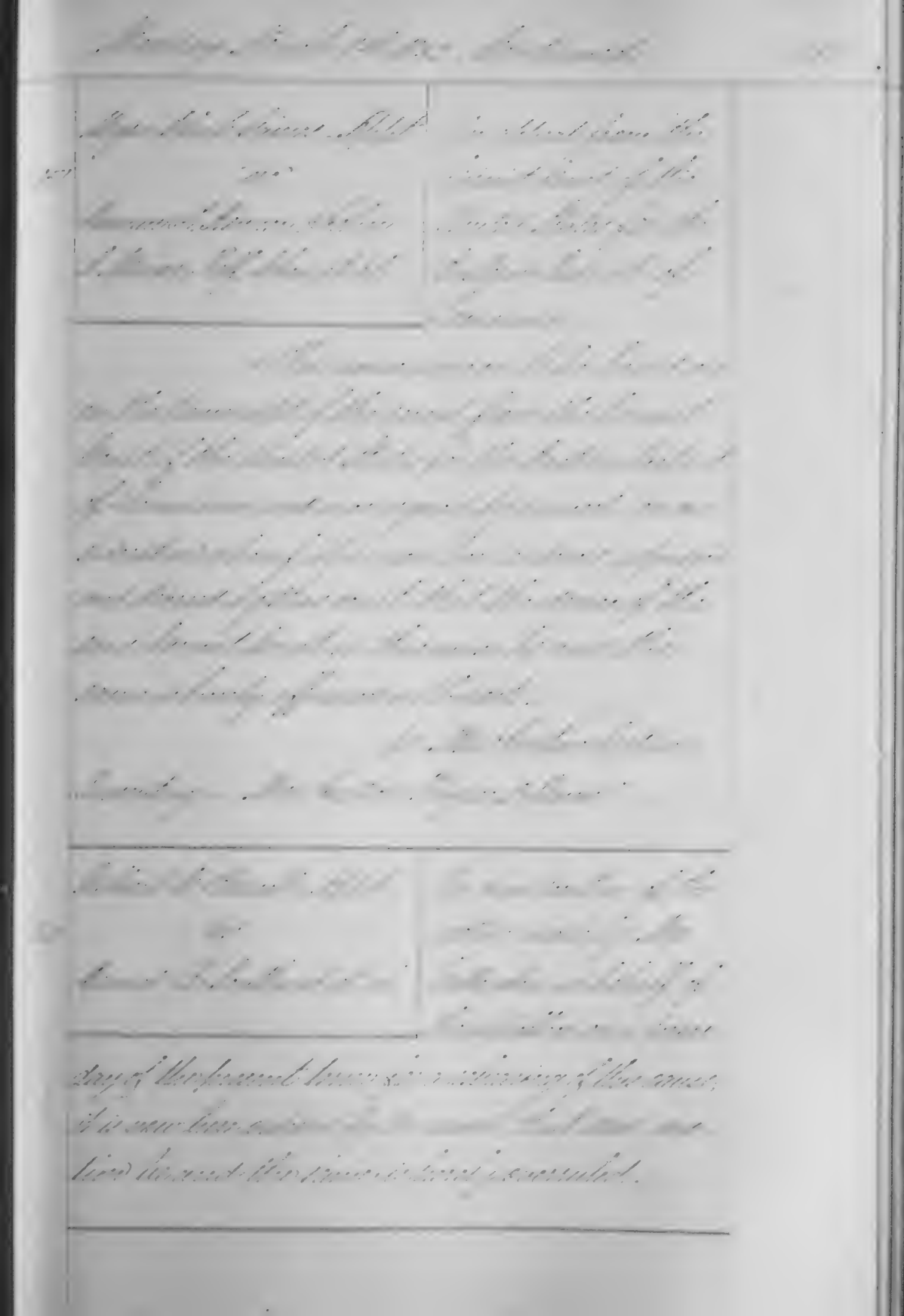
The Honorable	Peyton Hoy	Chief Justice
	[illegible]	
	[illegible]	
	[illegible]	
	[illegible]	Associate
	[illegible]	Justices
	[illegible]	
	[illegible]	
	[illegible]	

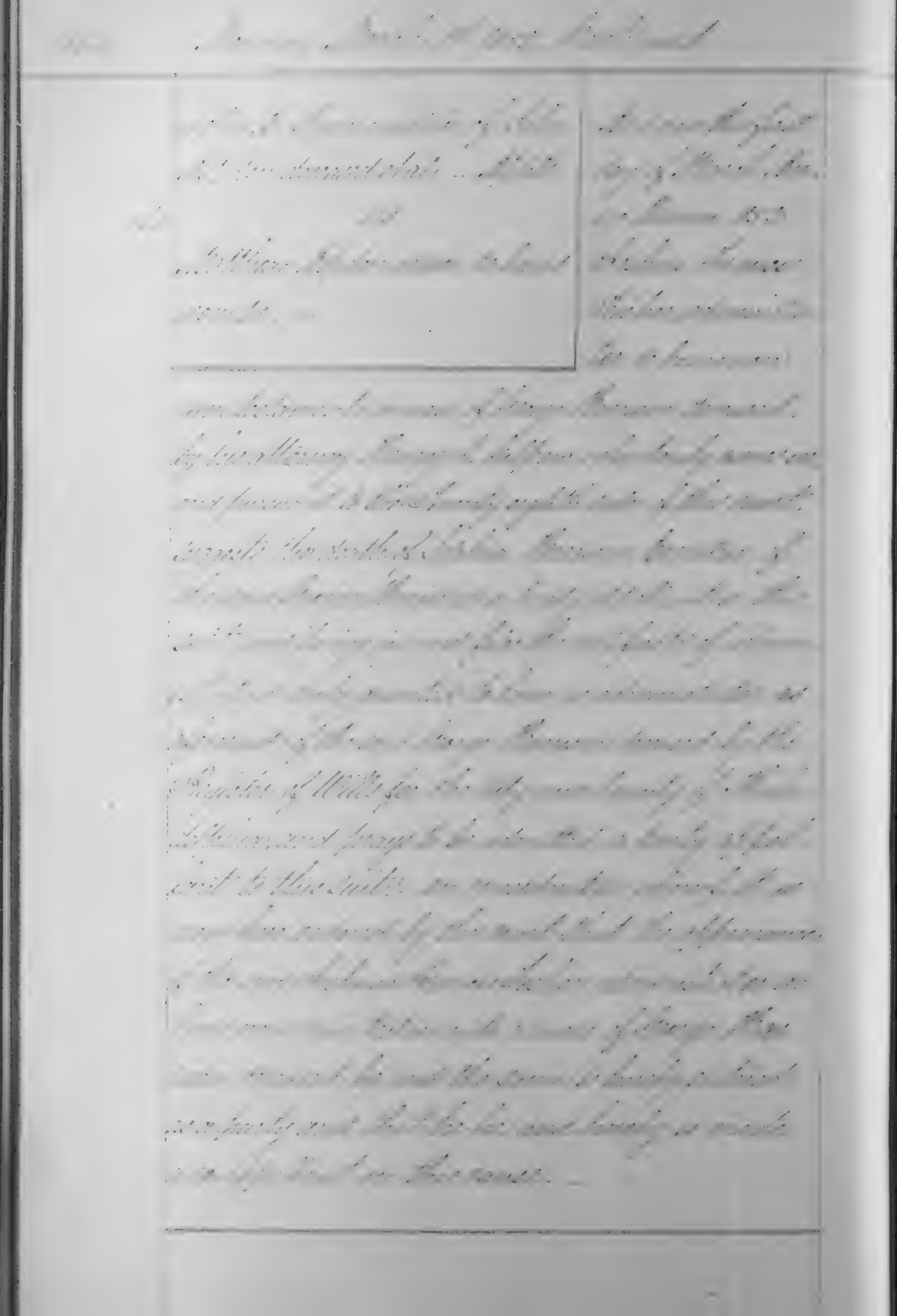
[illegible] Walter Lenox Marshal
[illegible] Thomas Powell Clerk

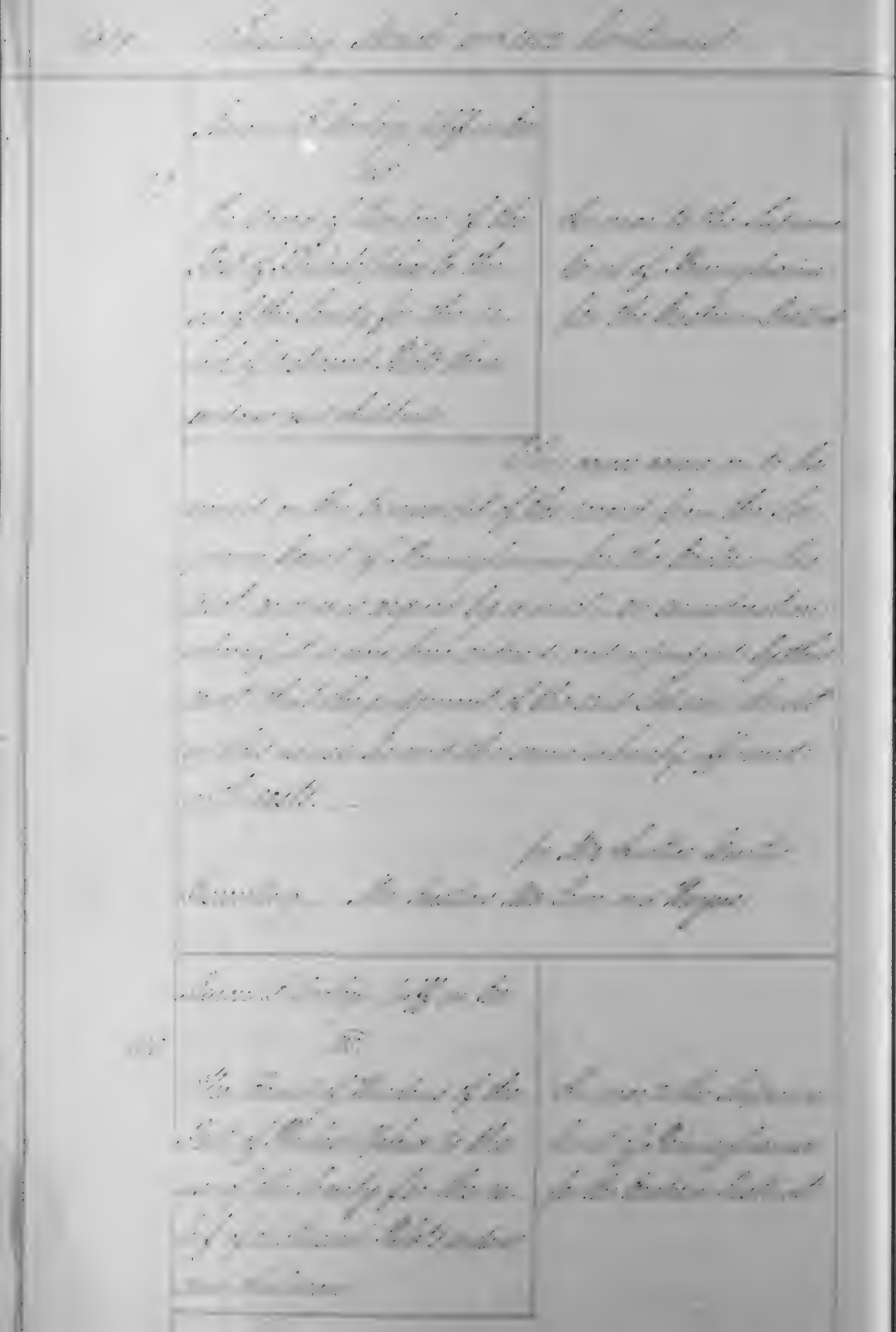
Proclamation having been made the court is opened.

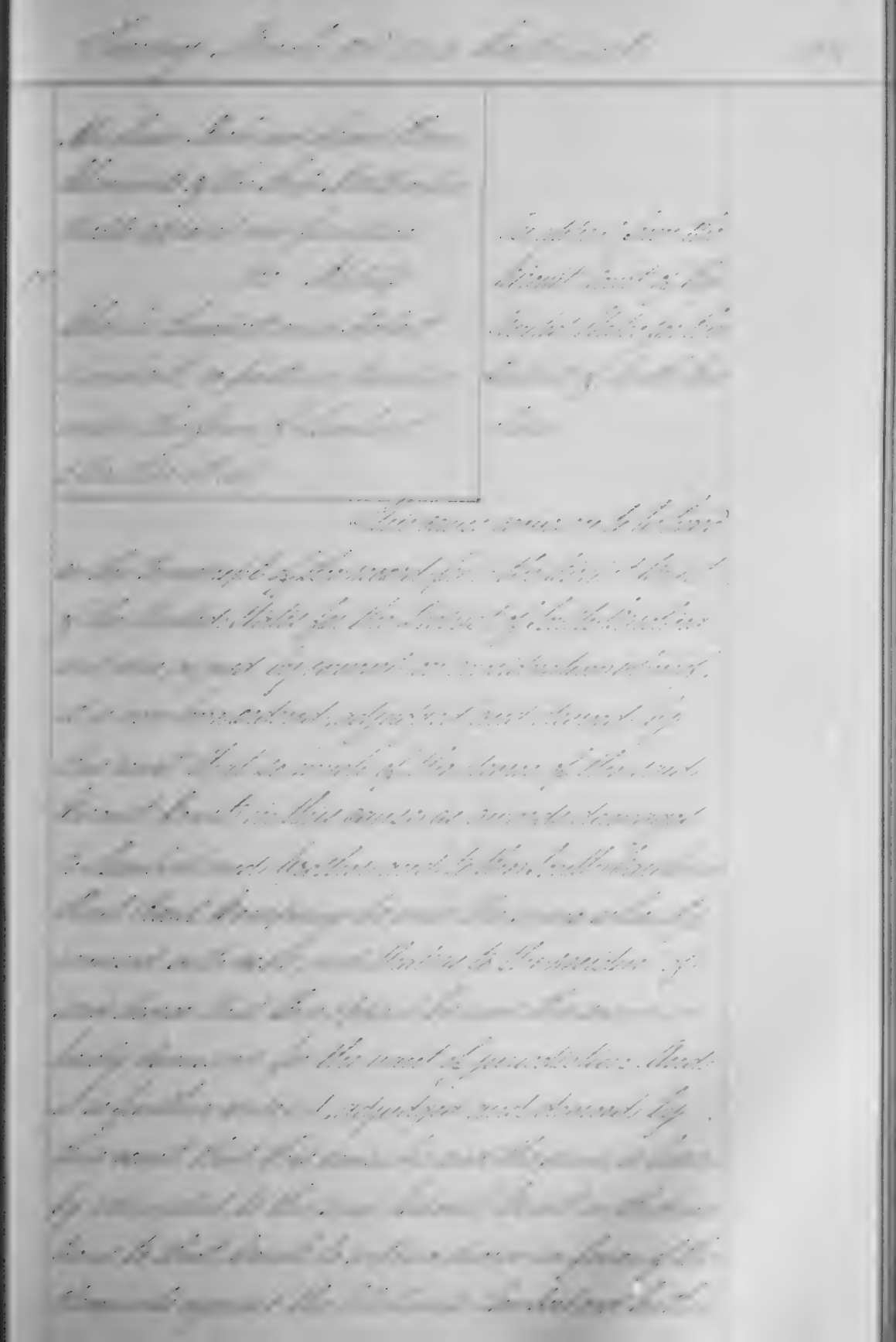
[illegible] motion [illegible] made to the court in this [illegible] and William Winston Seaton [illegible] [illegible] and [illegible] [illegible] [illegible]

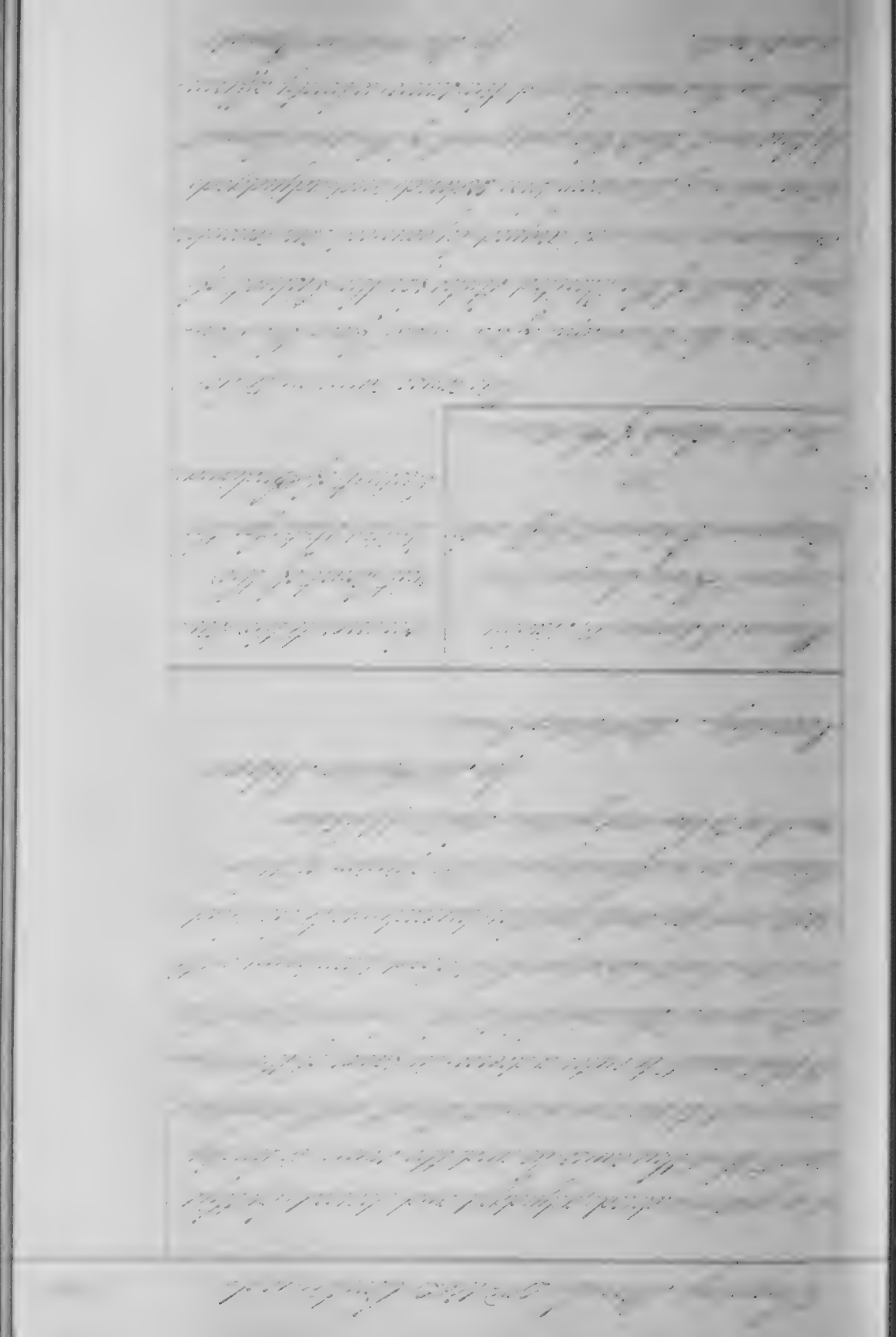


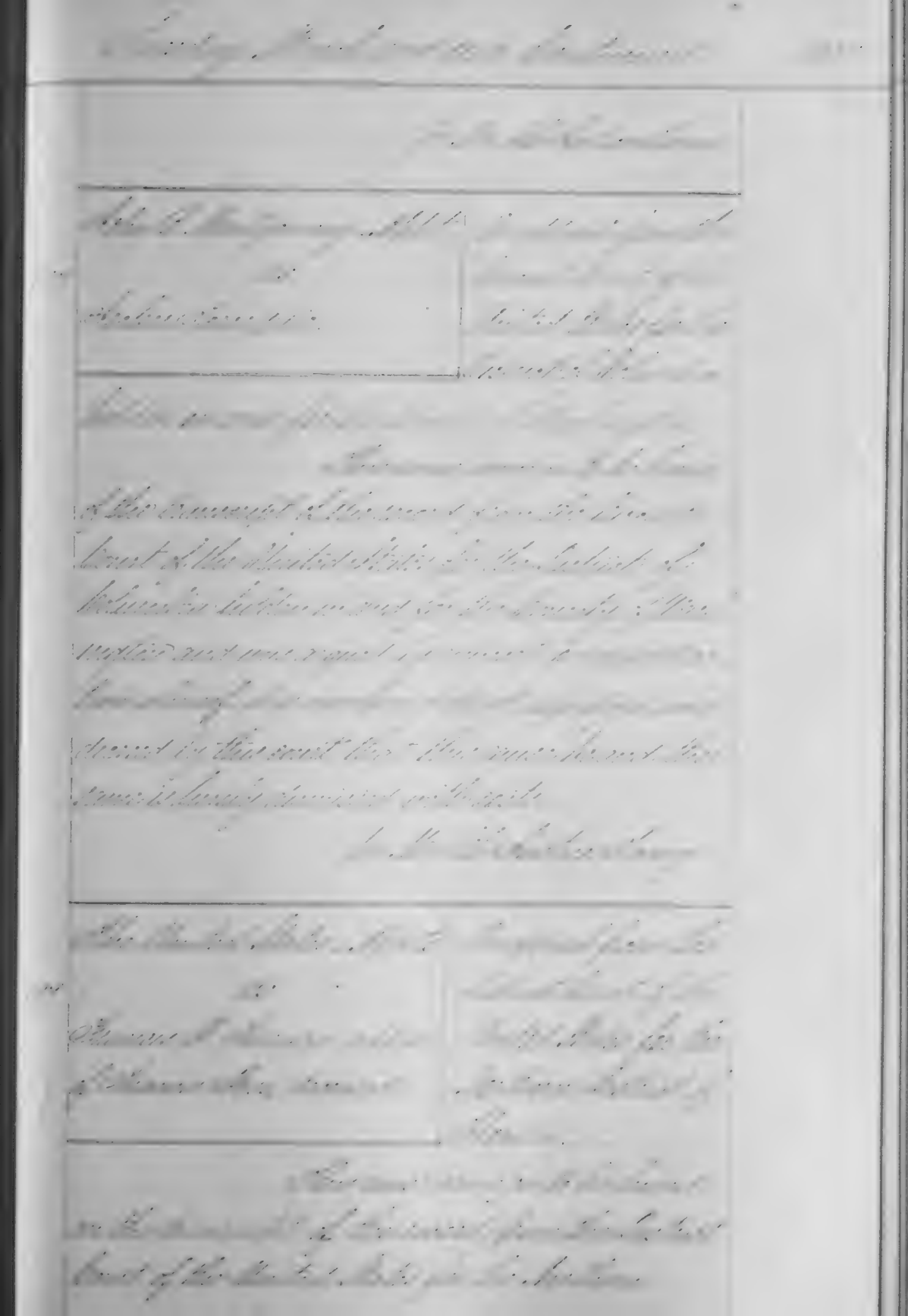


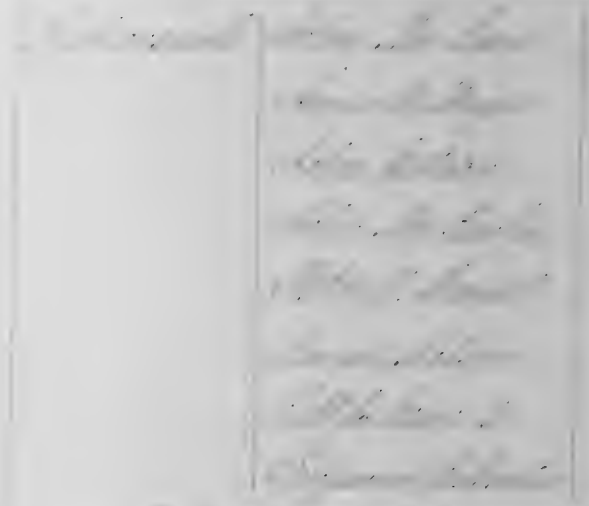


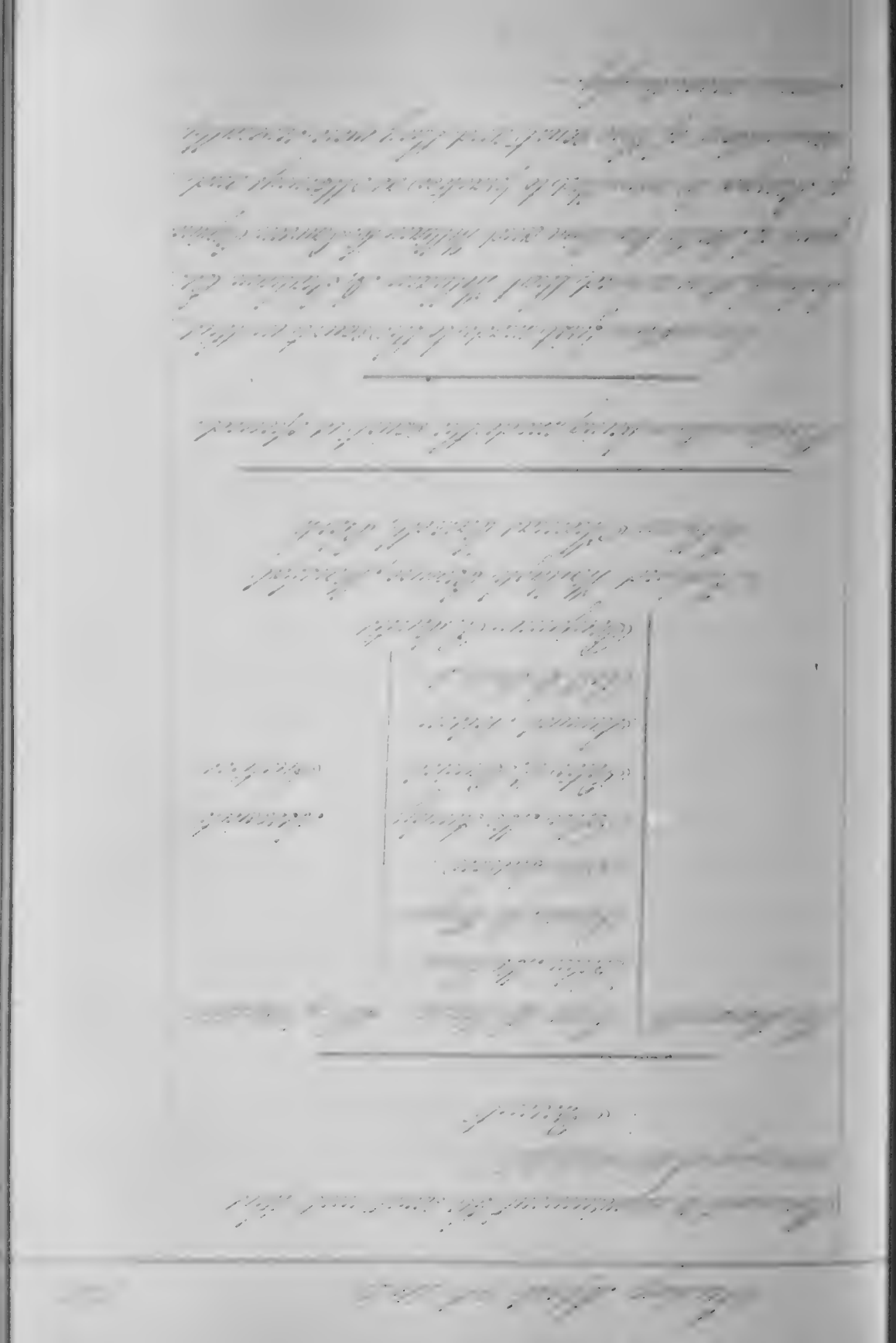


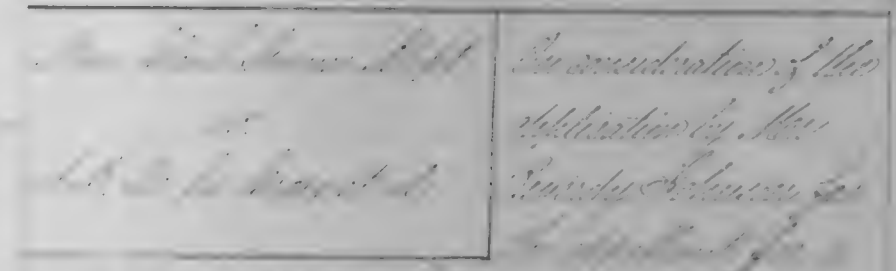


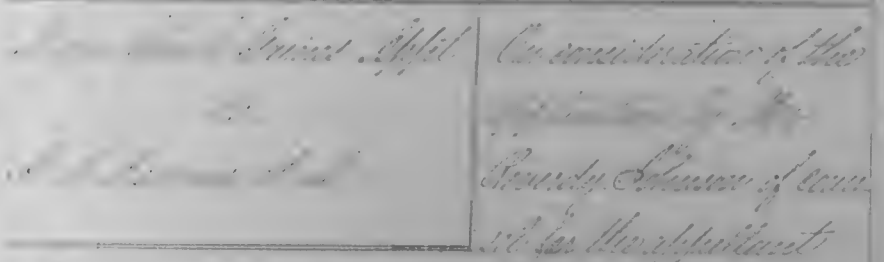


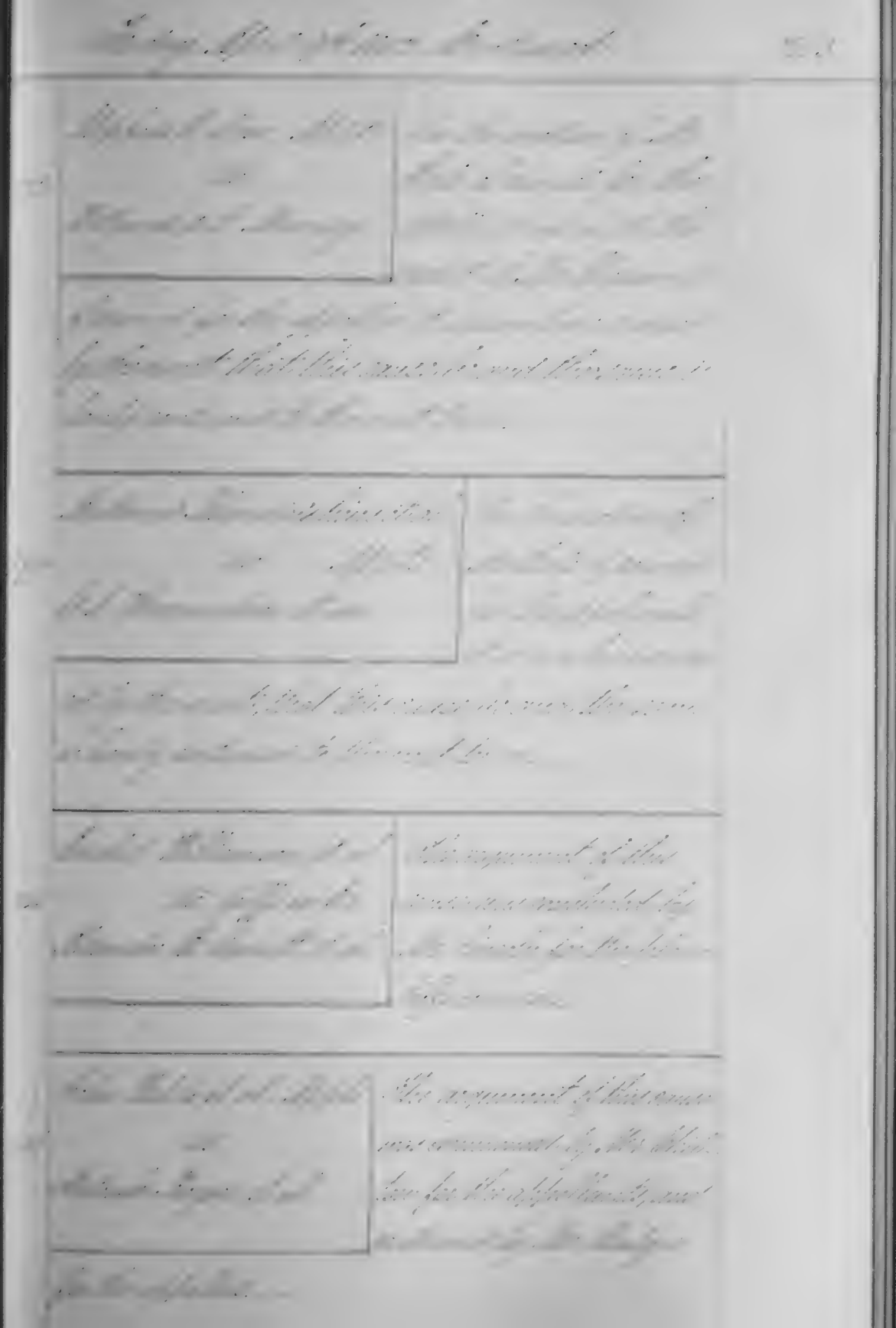


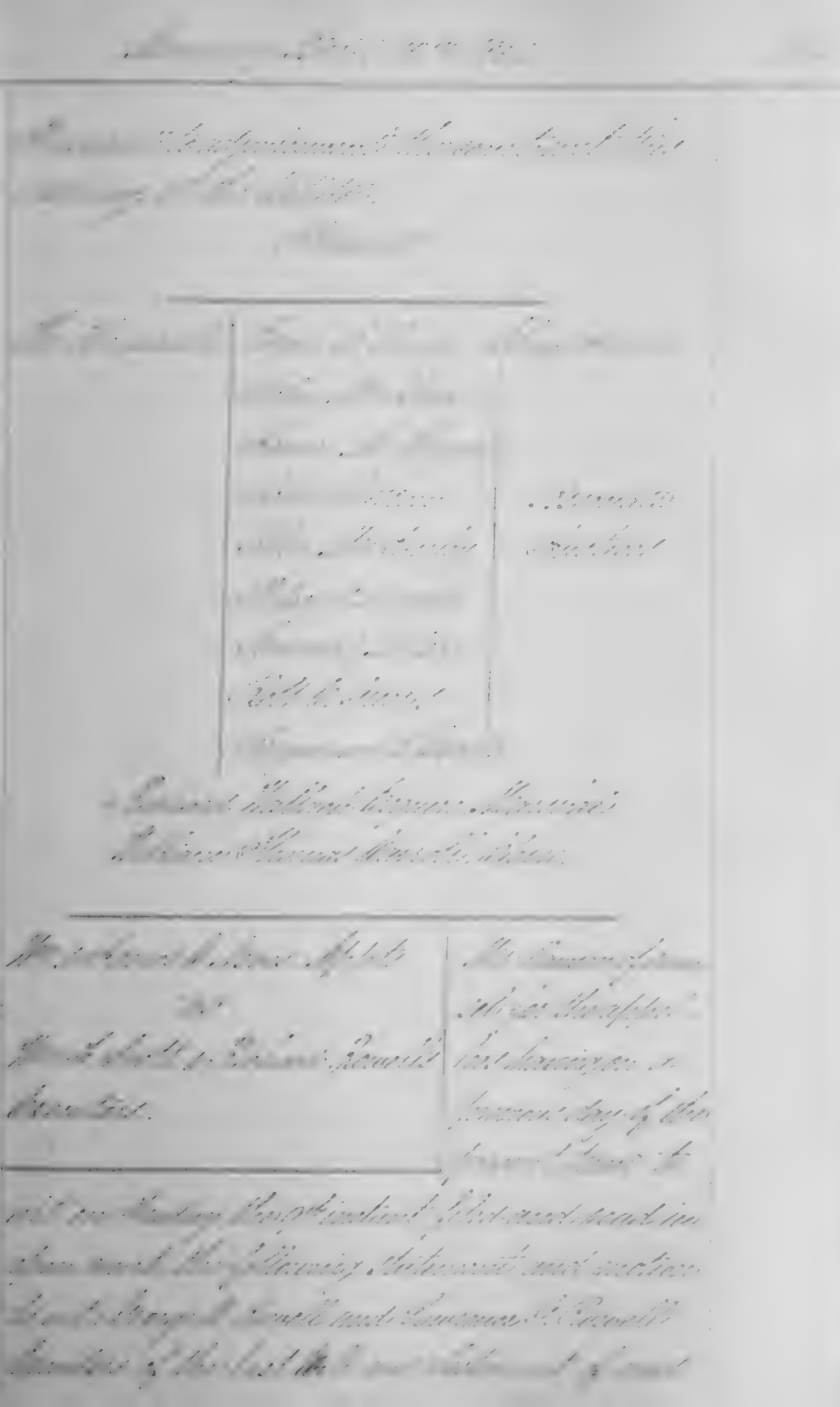


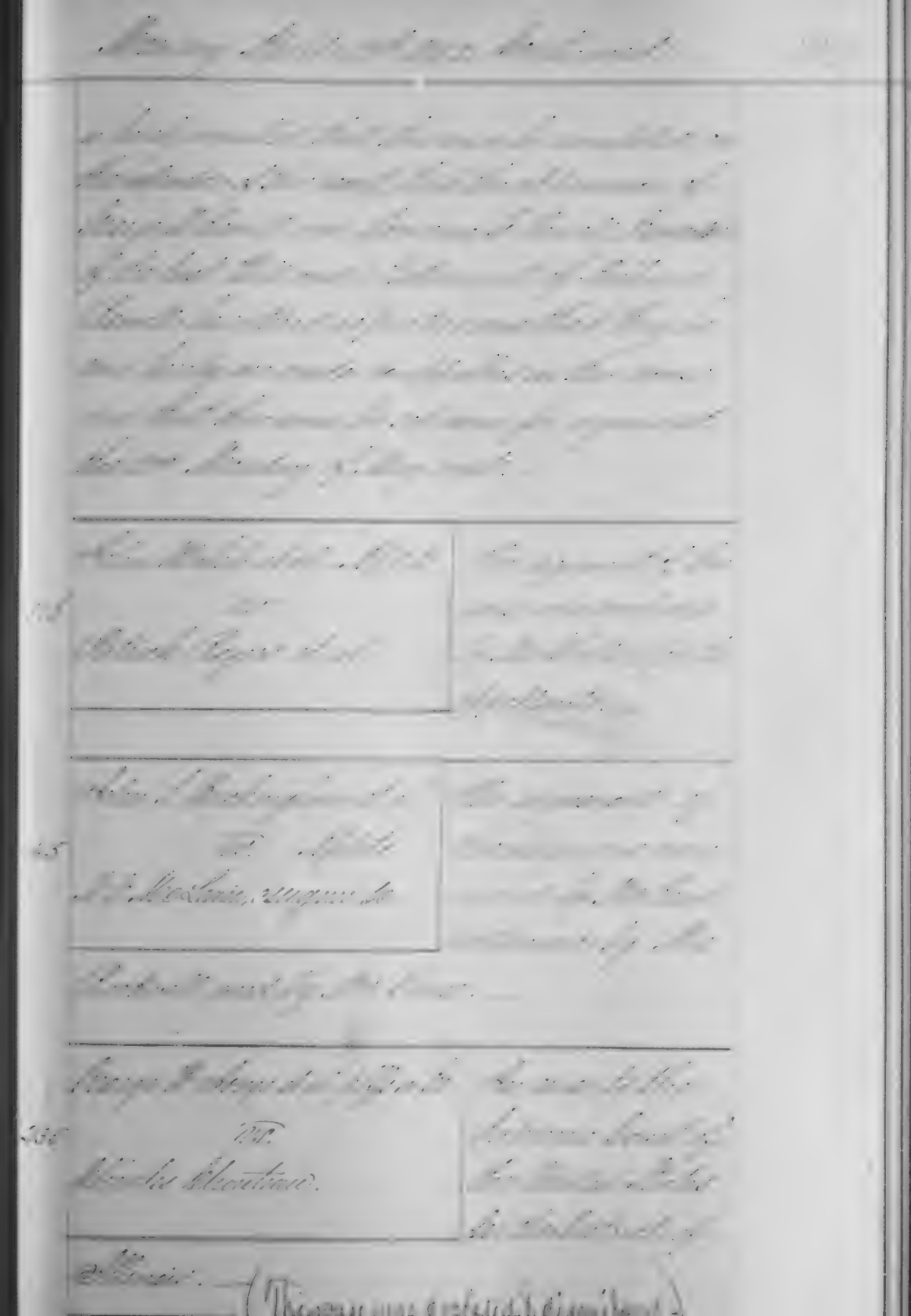


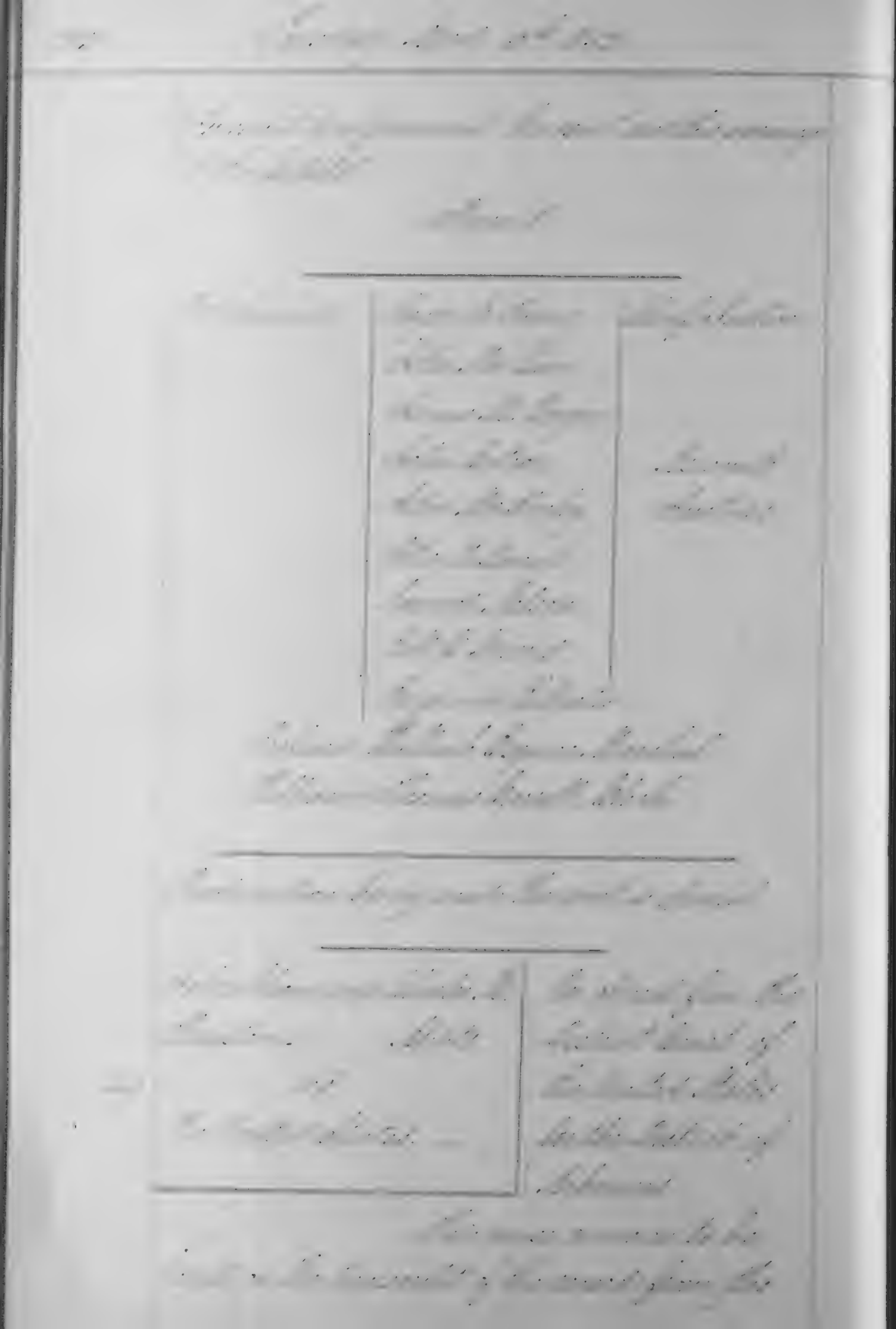


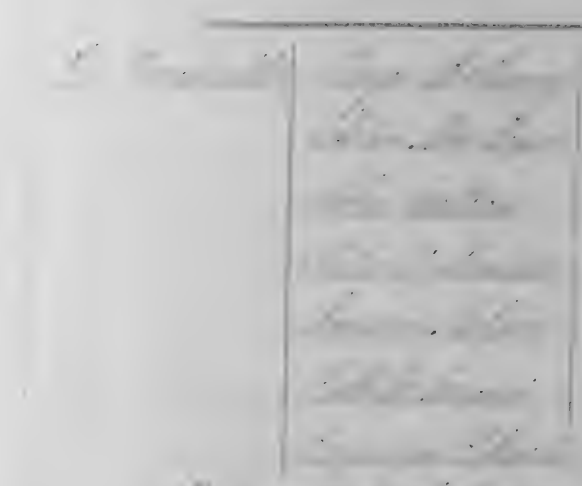












Sunday, March 15th 1863 Continued

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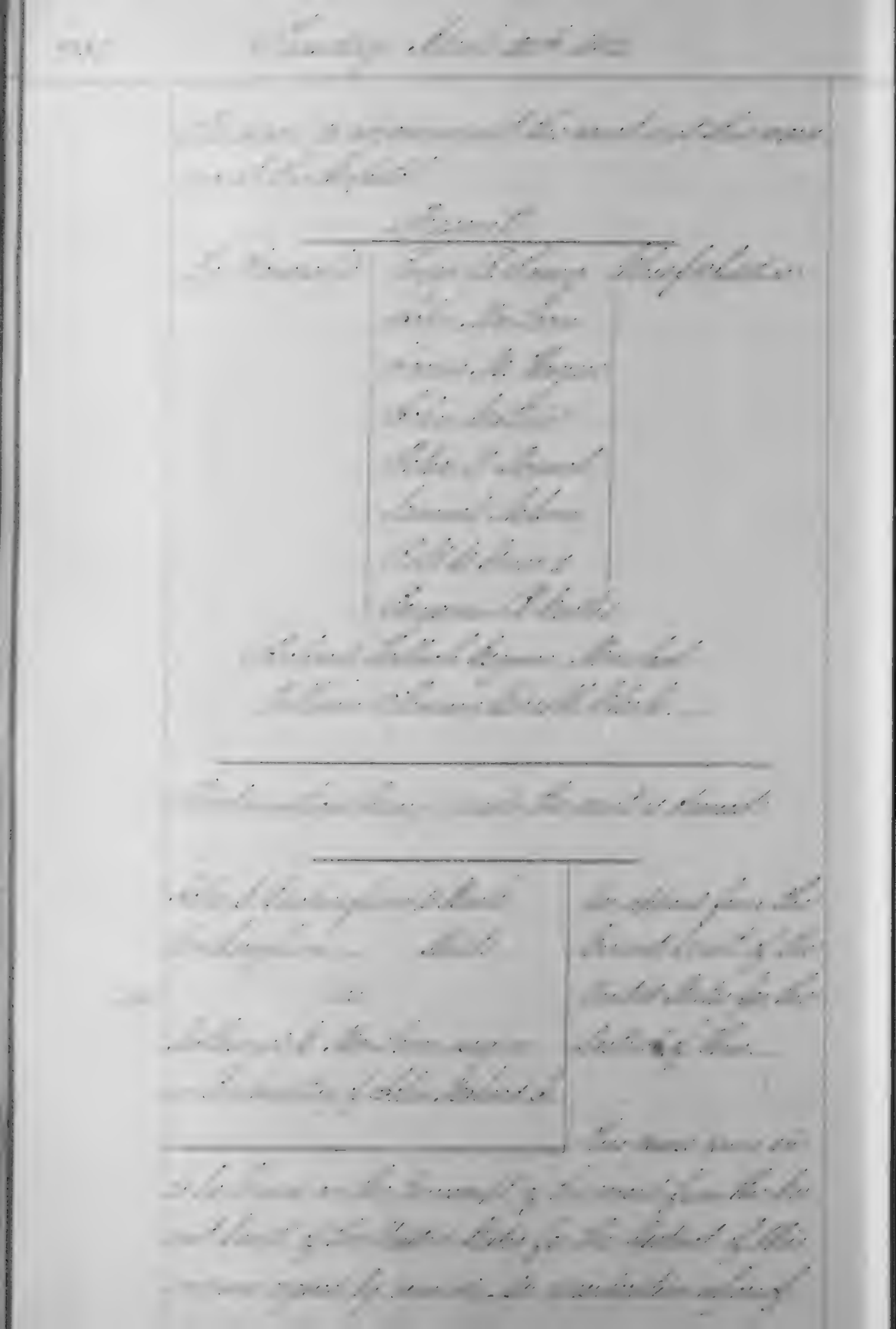
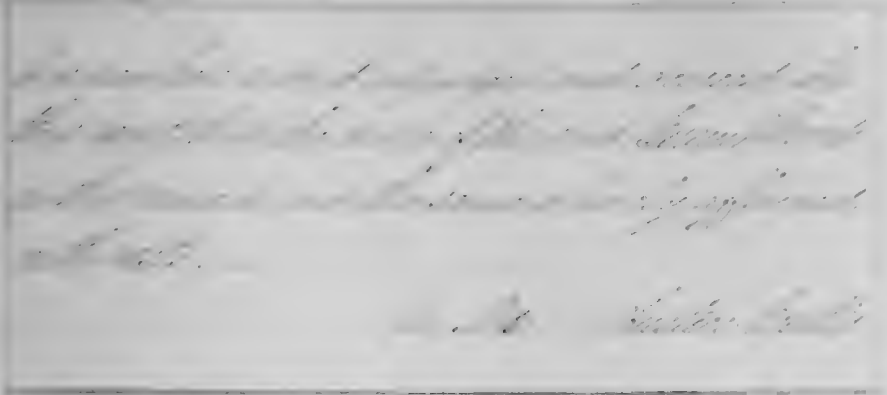
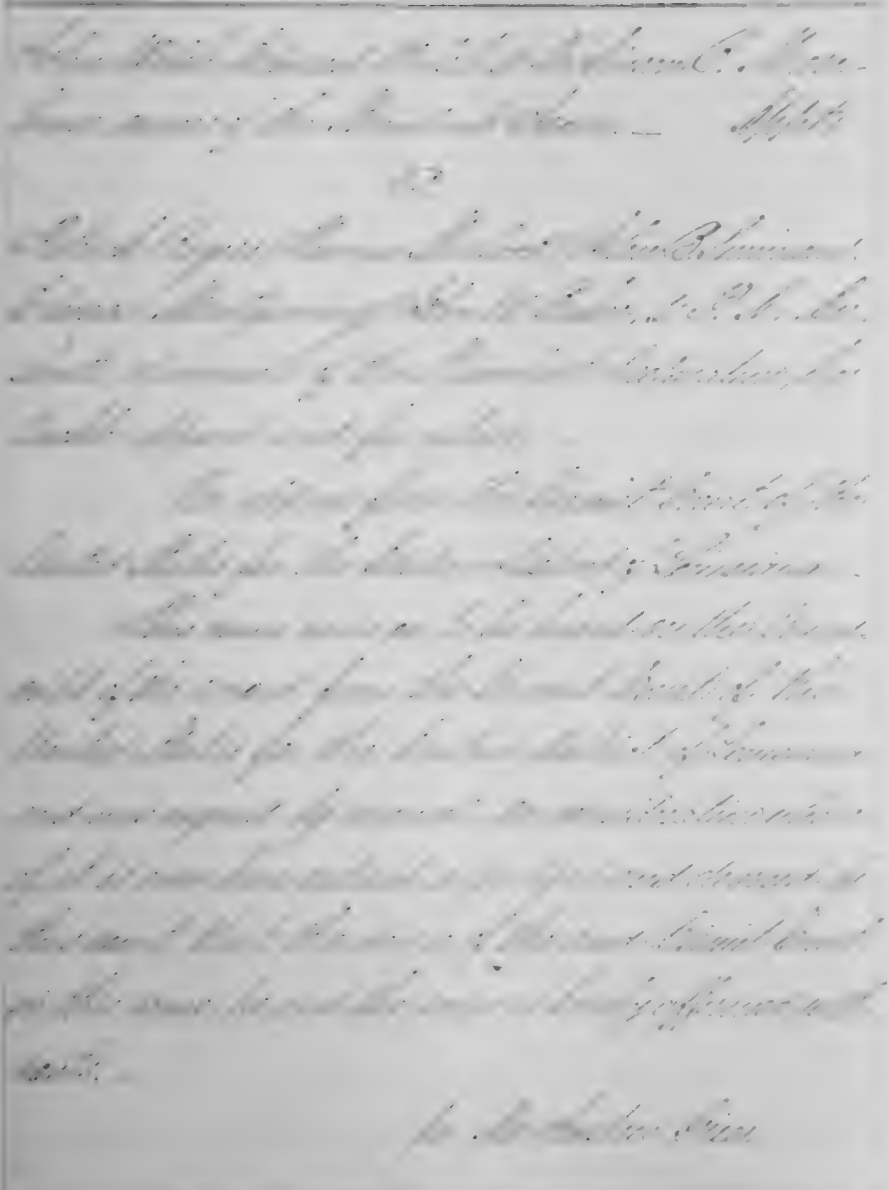
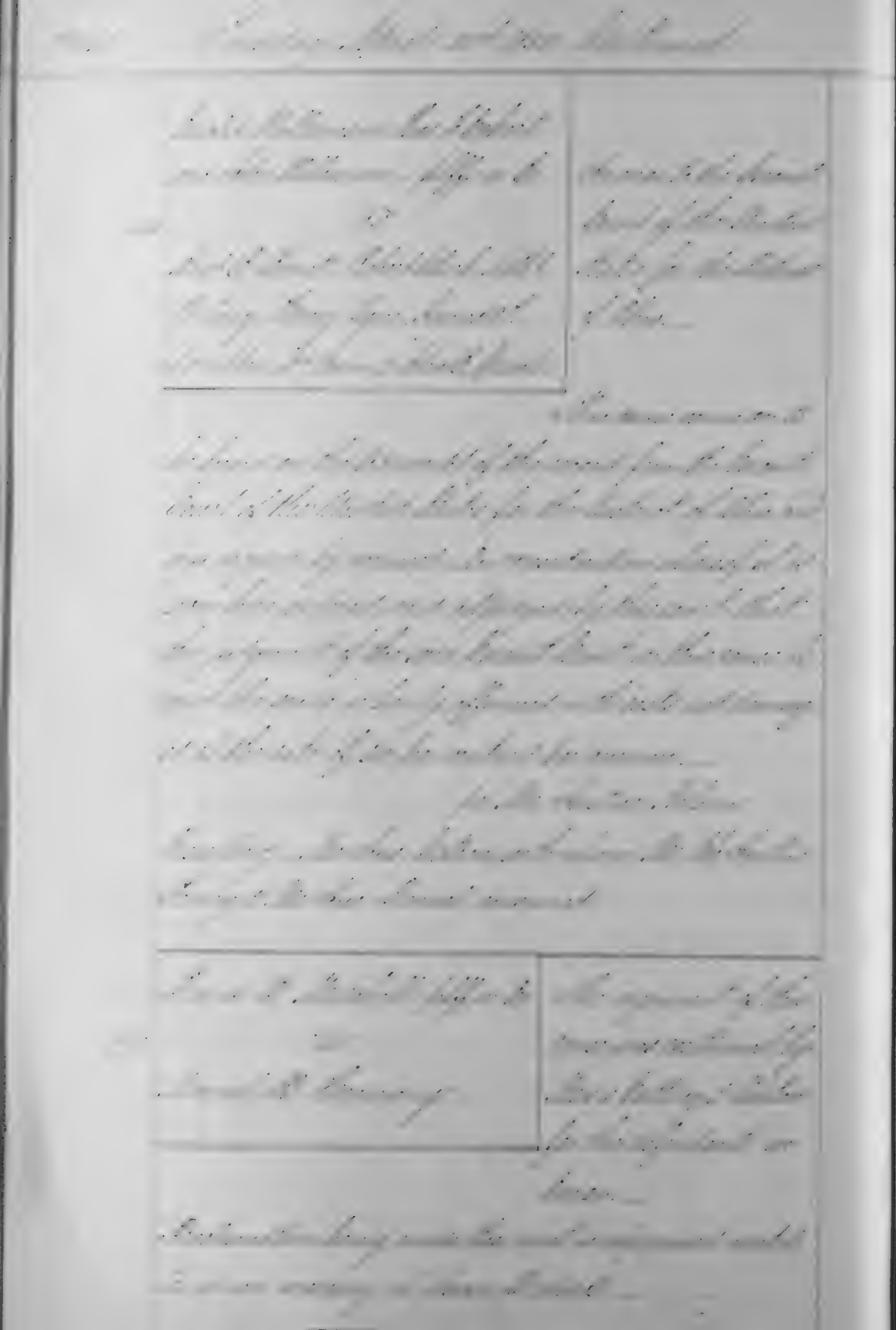
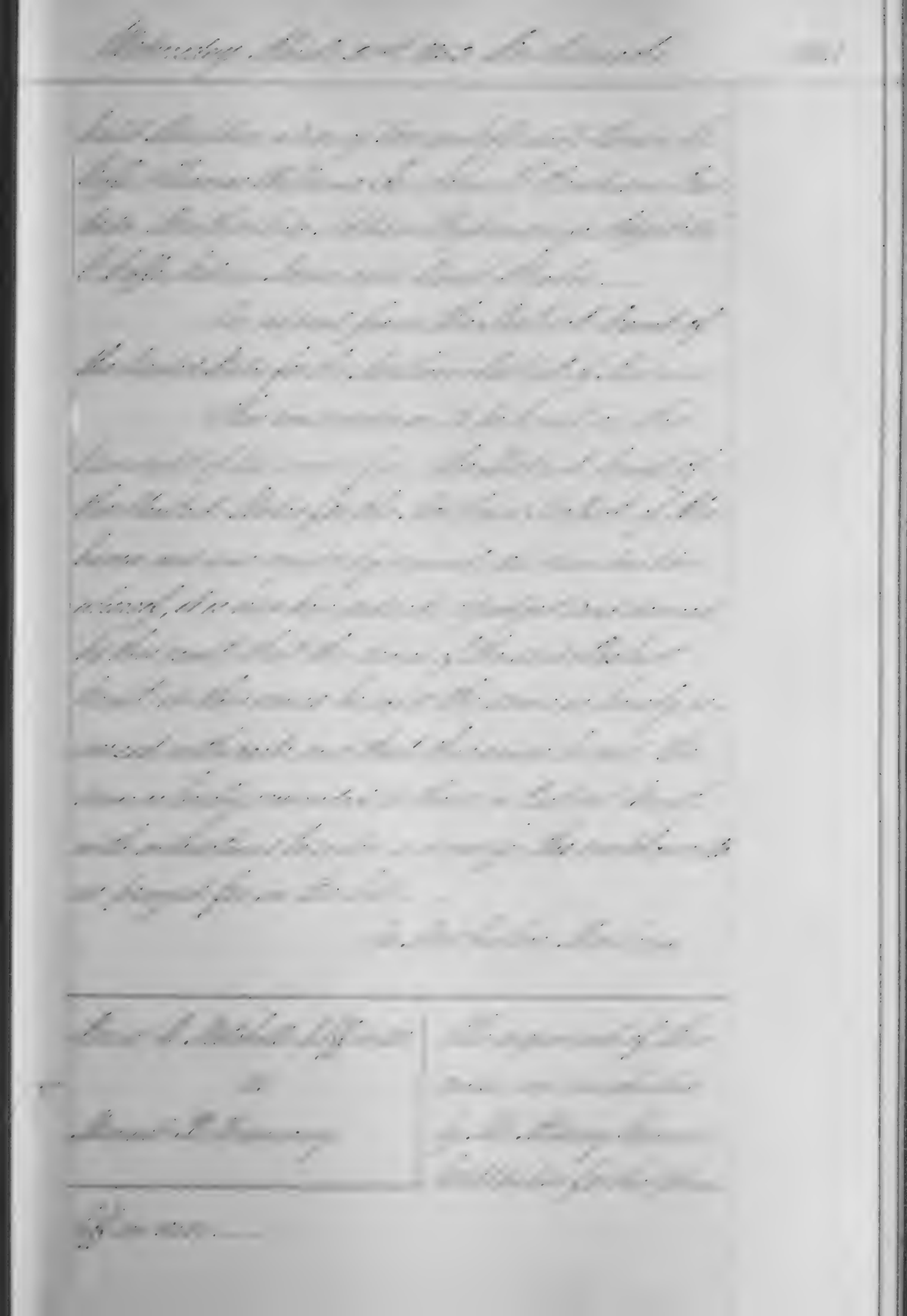
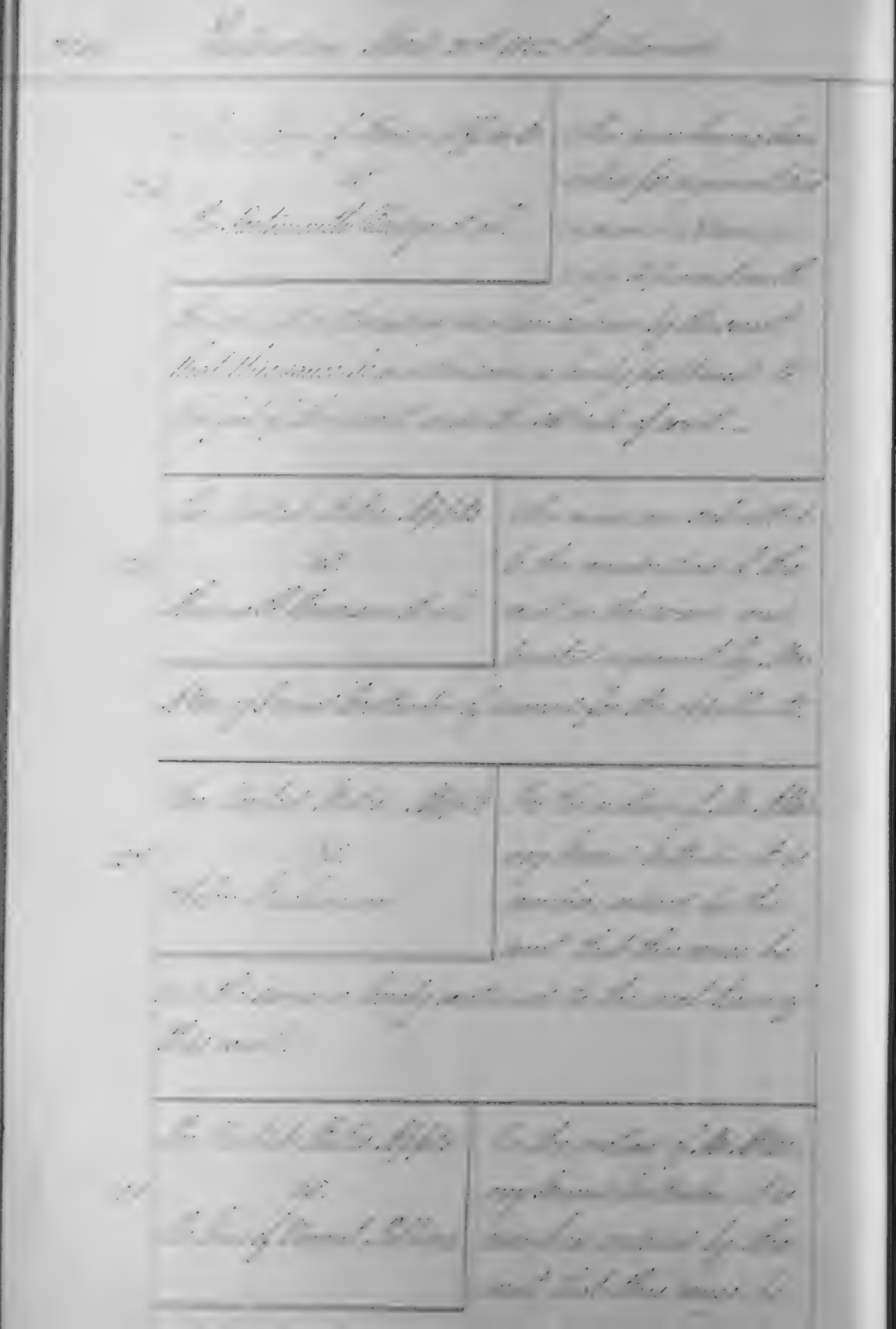


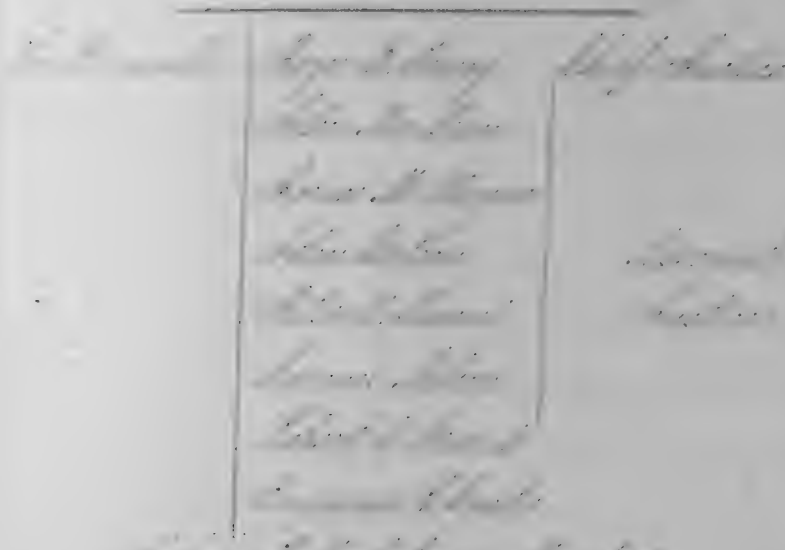












In the District Court of the United States for the District of Iowa.

The United States of America

vs.

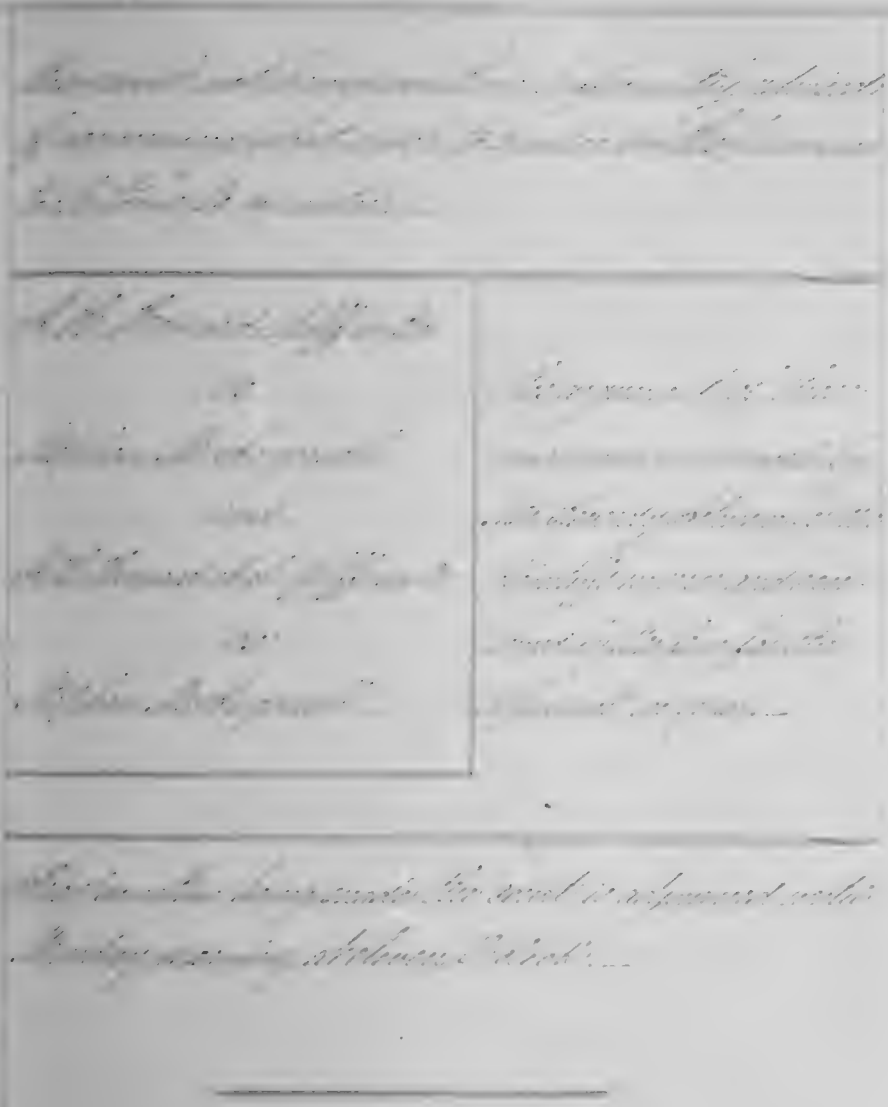
Thomas Hughes

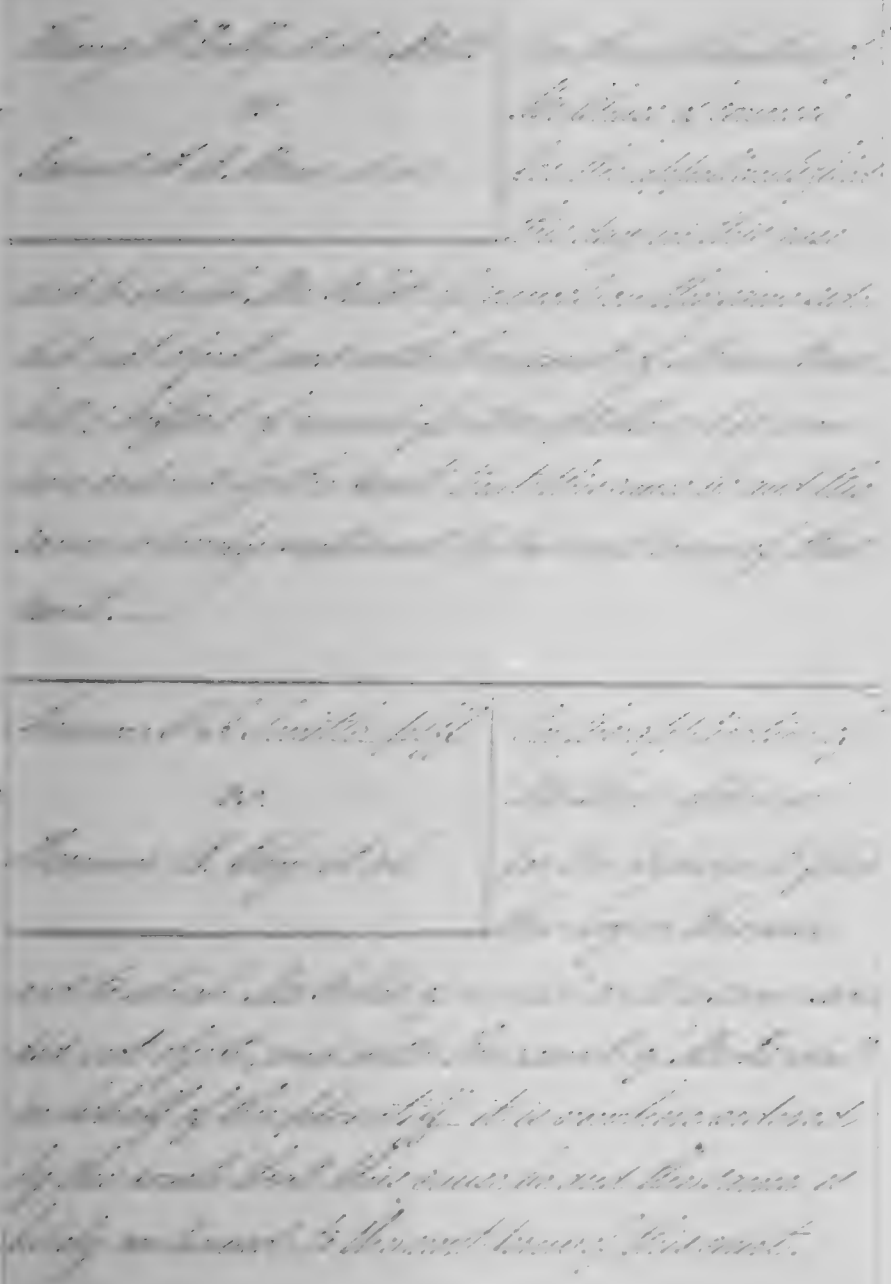
And now comes the District Attorney and moves the Court to issue a writ of Subpoena to the Marshal of the District of Iowa commanding him to summon Thomas Hughes to appear before the Judge of the District Court of the United States for the District of Iowa at the City of Dubuque on the first day of the next term of said Court to be holden at the City of Dubuque in and for said District on the first Monday in June next to answer to the charge of Counterfeiting the Coin of the United States and to abide the order of said Court in the premises and not depart without leave.

Dated this 3rd day of May A.D. 1852

Jas. Thorington
U.S. Dist. Atty.

Filed May 3rd 1852





1334 Monday Sept 23rd 1833 Continued

Argument of Counsel in this cause was concluded on the 20th Instant & Counsel for the Plaintiffs in error.

vs.

Counsel for the Defendant in error; this cause was ordered to stand over to the next Term of this Court.

1334 vs.

Plaintiffs in error were ordered by the Court to file their reasons of Error in this cause in and the same to stand over to the next Term of this Court.

Pursuant to adjournment the Court met this [illegible]

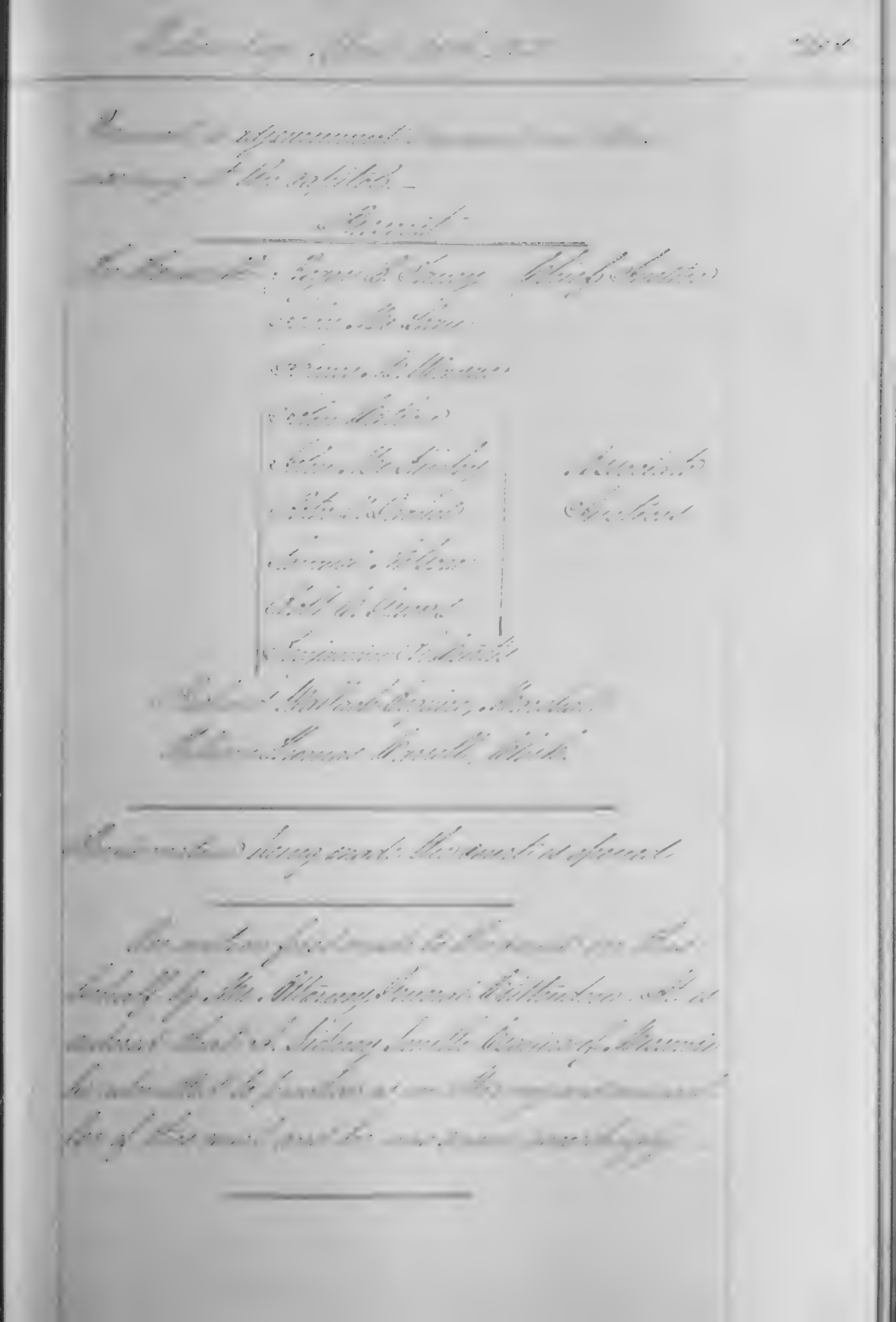
Present

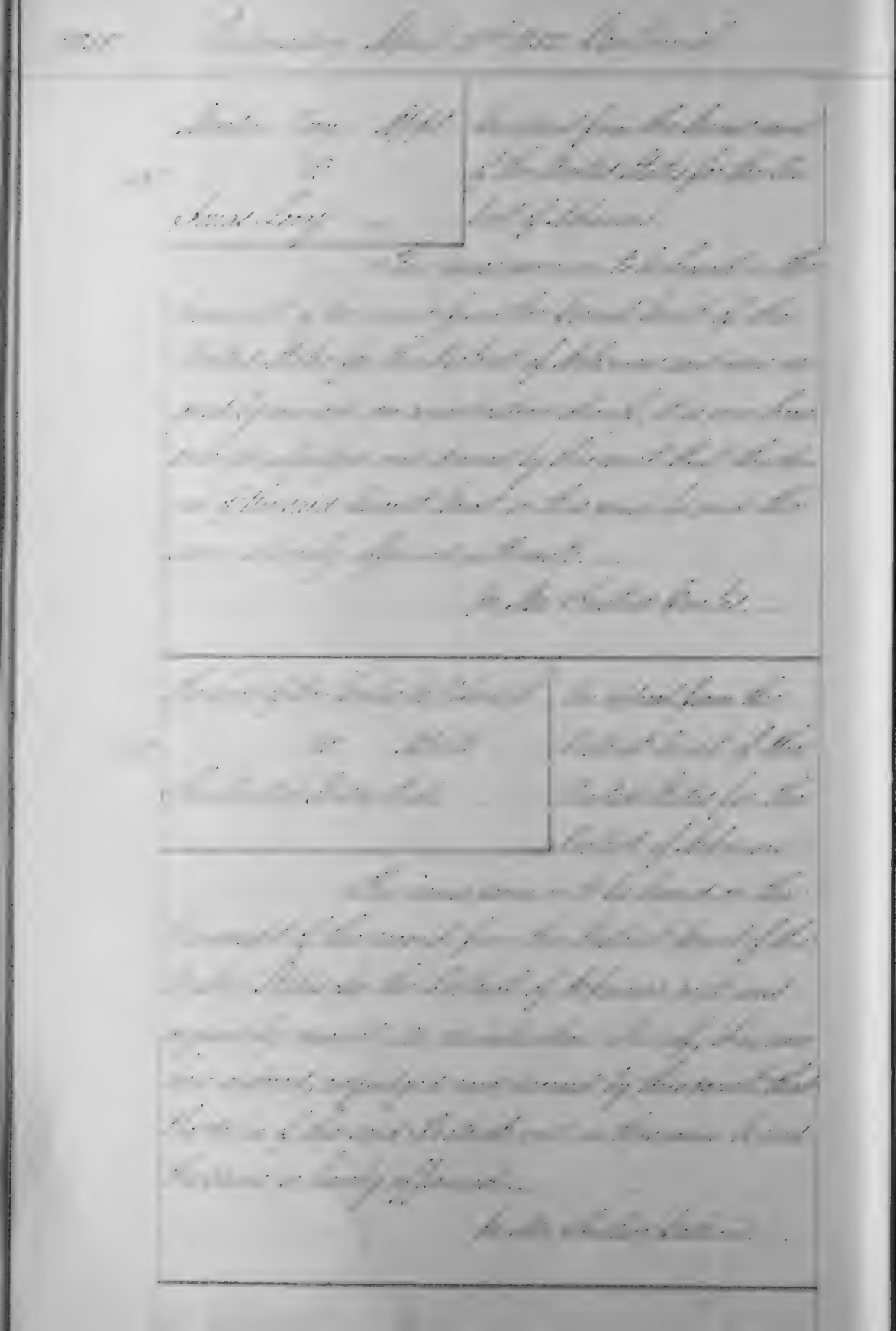
[illegible]	Chief Justice
[illegible]	
[illegible]	
[illegible]	
[illegible]	Assistant
[illegible]	Assistant
[illegible]	
[illegible]	
[illegible]	

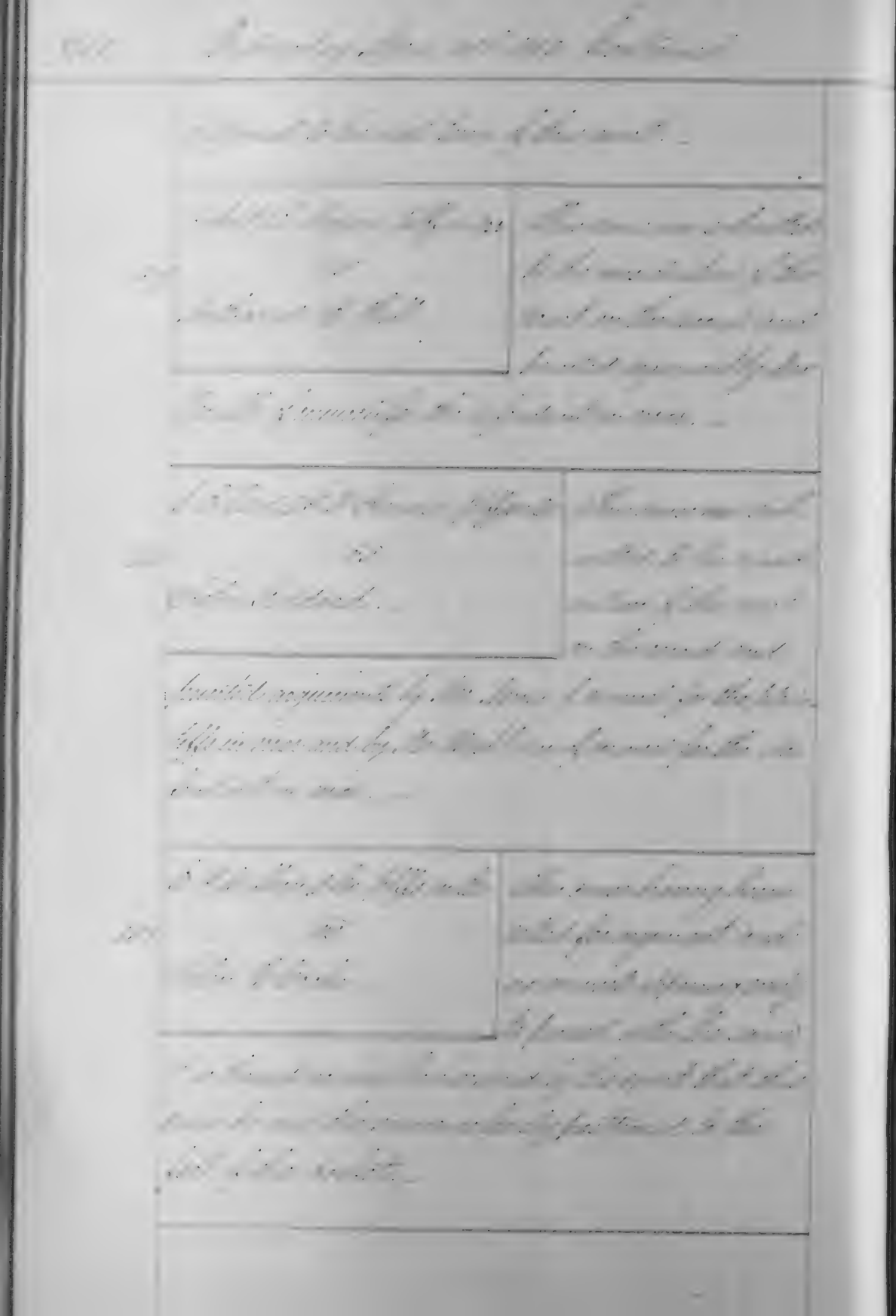
Richard Watkins Esquire Marshal
William Thomas Carroll Clerk

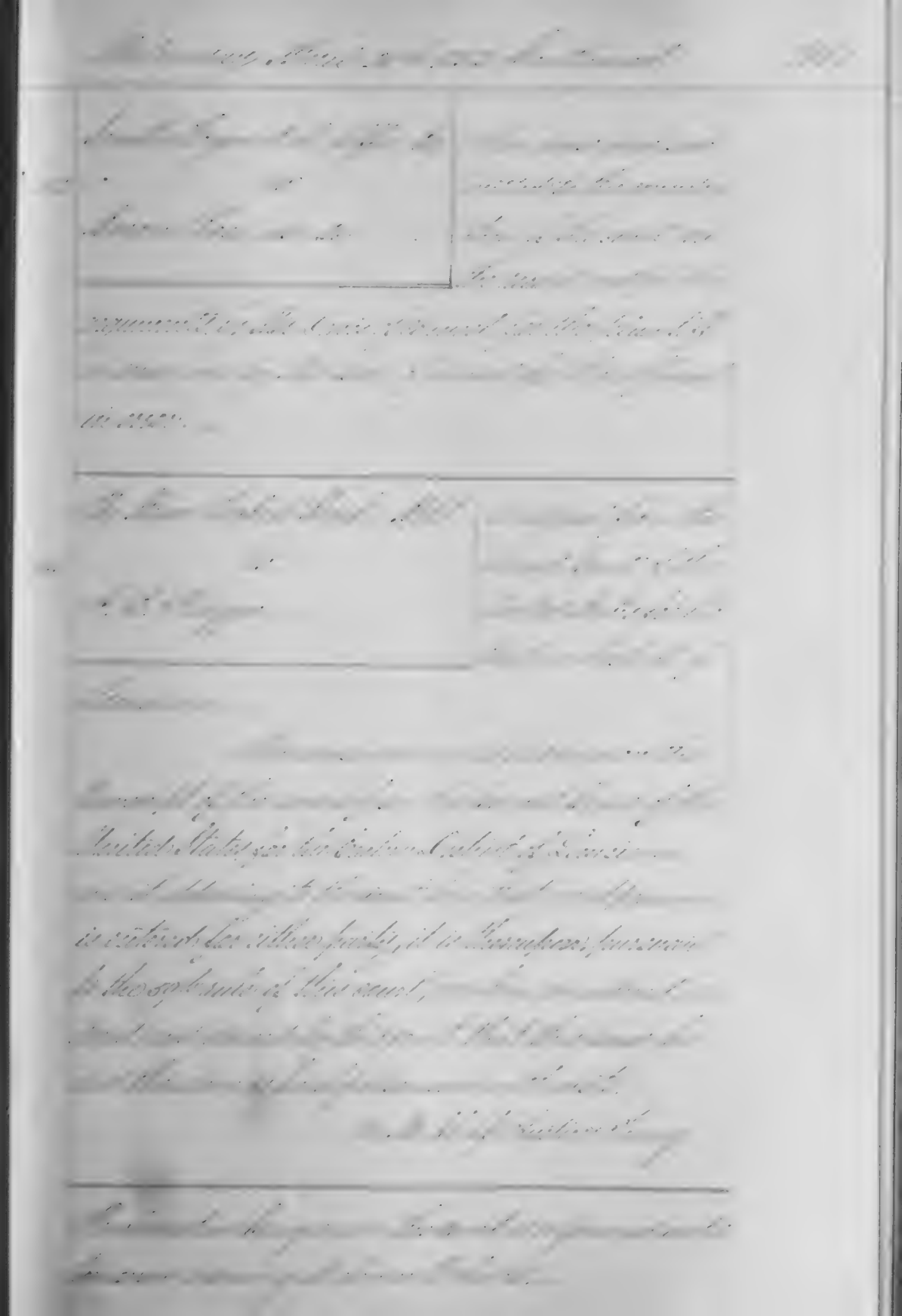
Proclamation being made the Court is opened

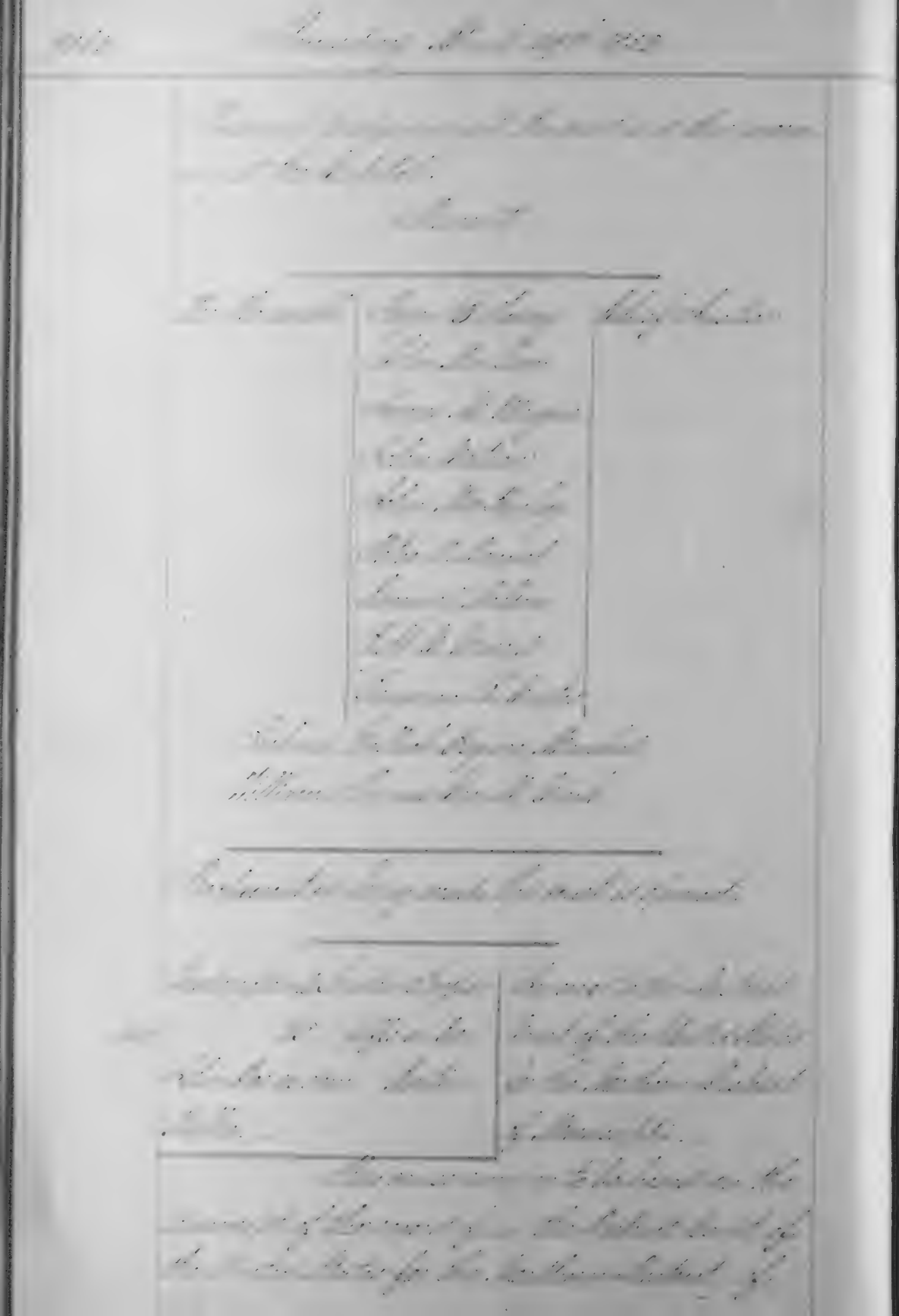
[illegible]	The argument of this
[illegible]	cause was commenced
[illegible]	by Mr Thomas for
[illegible]	the [illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

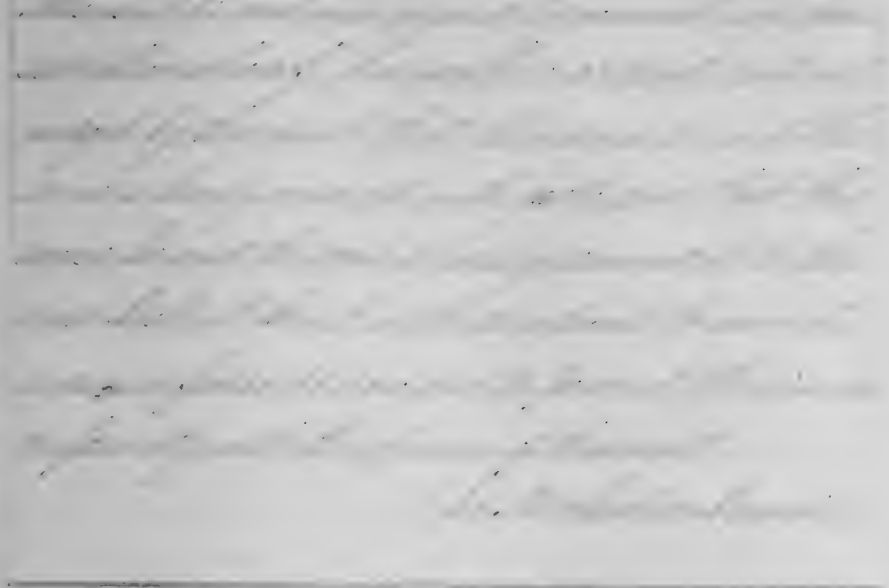


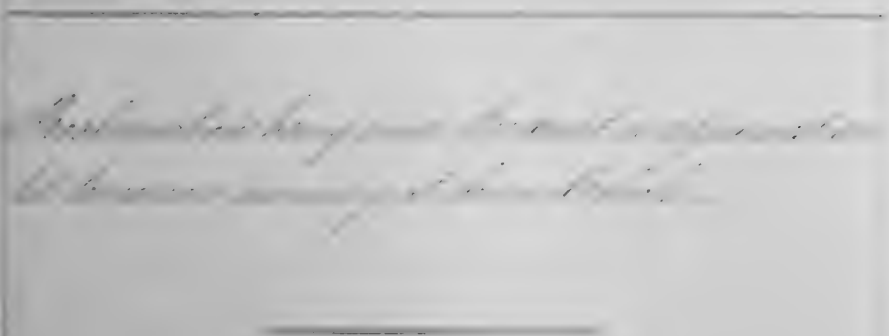


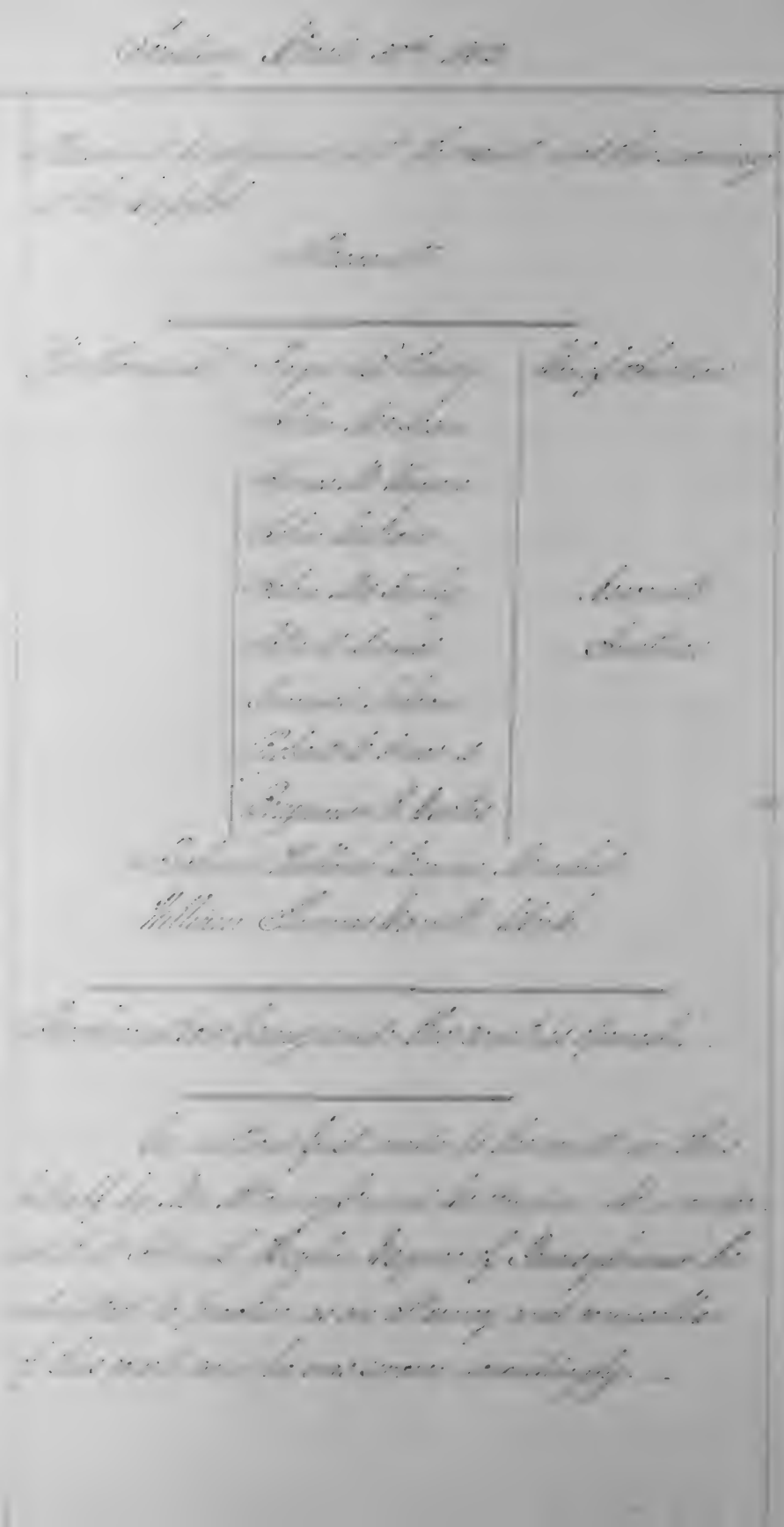


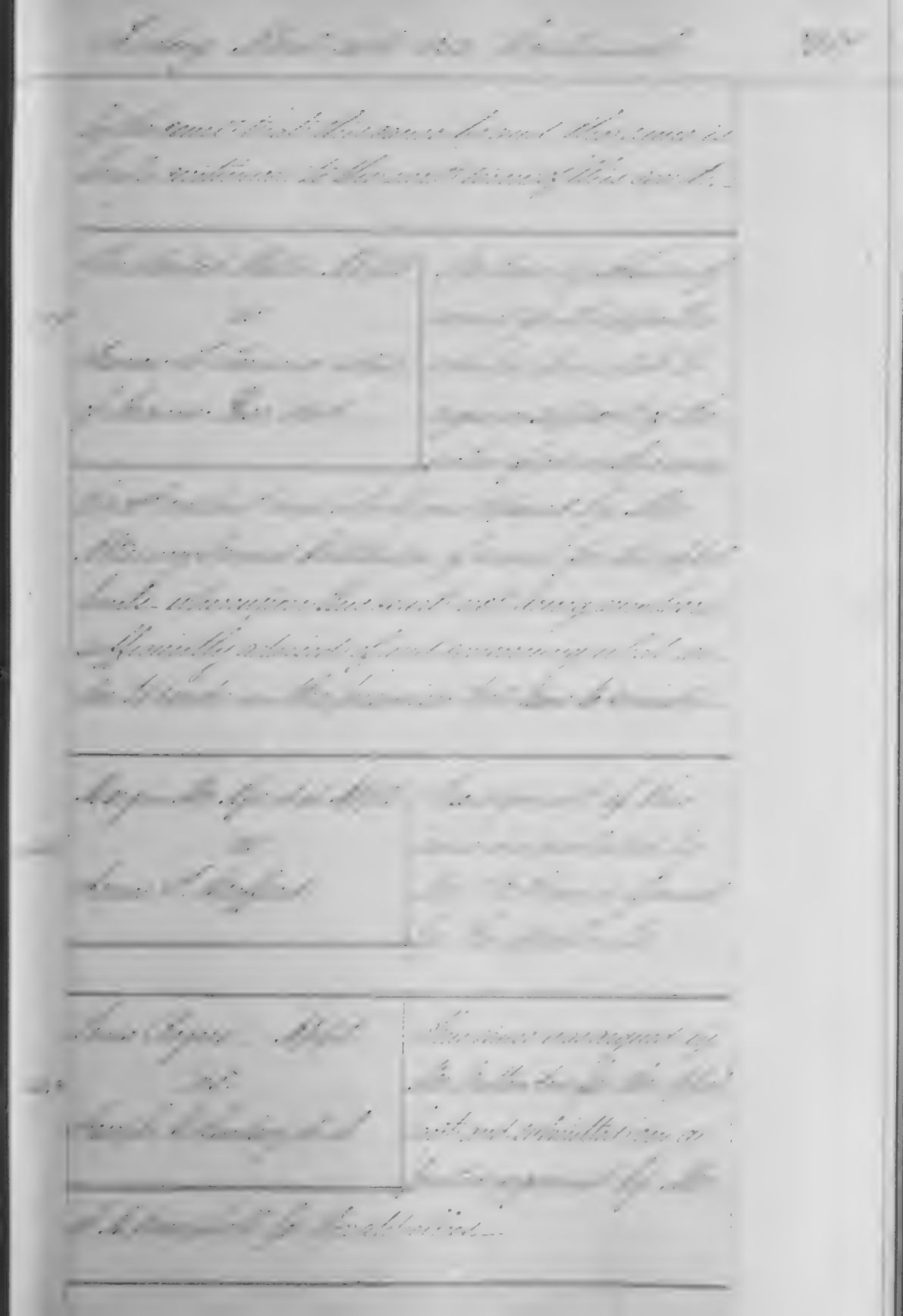


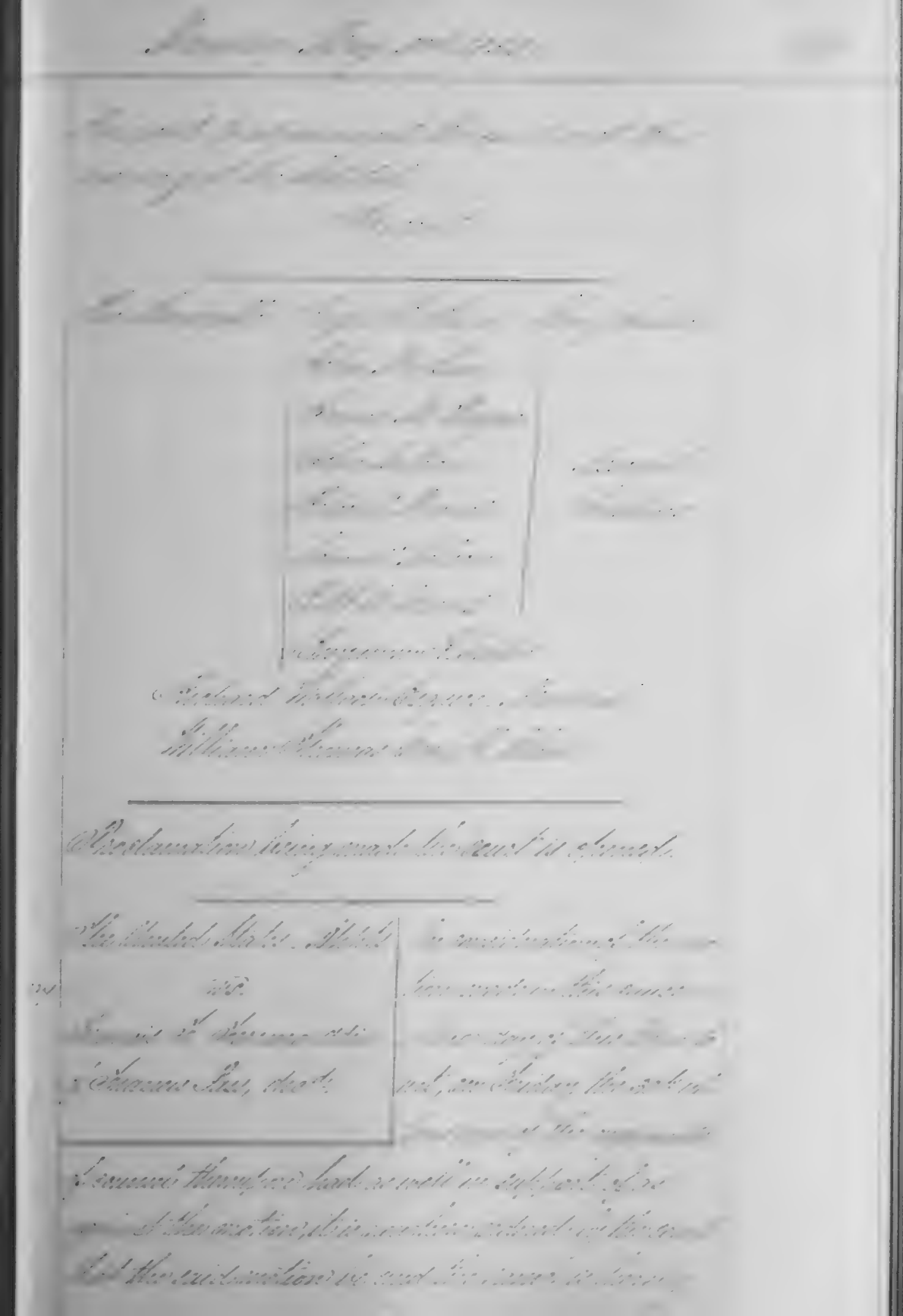












Alexander Wilson, jr. &c. vs. Lewis Sharp et al.	The cause was argued by counsel for the complainant and defendants, and submitted on printed arguments by the Hon. James Campbell for the plaintiff in error.
William Ellis, Marshal, &c. vs. Israel Parkinson	On the motion of Mr. Lawrence, of counsel for the plaintiff in error, it is ordered by the court that the cause be and the same is hereby dismissed at the cost of the defendant.
John L. Hart, Executor of &c. vs. Mary Ann Lee, assignee &c. and John Lee, assignee &c. vs. Stephen Girard & al.	On motion of the plaintiff in error by his counsel, and it appearing to the court that the matters in controversy in this cause have been settled and compromised by the parties, it is ordered that the writ of error in this cause be and the same is hereby dismissed.

Wednesday May 3rd 1852 Continued

In the United States for the Eastern District of

Richard Lawrence Jeffries

vs.

John Hunt

Richard Fowler vs. Elliot

vs.

William Hart.

In the Circuit Court of the United States for the Eastern District of Pennsylvania

In the matter of the Petition of [illegible] for the benefit of the Bankrupt Act of 1867.

And now to wit May 8th 1872 the Petitioner by his Counsel moves the Court for a Rule upon the Assignee to show cause why he should not be directed to pay over to the Petitioner the sum of [illegible] Dollars and [illegible] Cents in his hands as Assignee of the Estate of the Petitioner.

And now to wit May 8th 1872 the Rule is granted returnable on the 15th day of May 1872 at 10 o'clock A.M.

By the Court

[illegible]
Clerk

In the Circuit Court of the United States for the Eastern District of Pennsylvania

In the matter of the Petition of [illegible] for the benefit of the Bankrupt Act of 1867.

And now to wit May 8th 1872 the Petitioner by his Counsel moves the Court for a Rule upon the Assignee to show cause why he should not be directed to pay over to the Petitioner the sum of [illegible] Dollars and [illegible] Cents in his hands as Assignee of the Estate of the Petitioner.

And now to wit May 8th 1872 the Rule is granted returnable on the 15th day of May 1872 at 10 o'clock A.M.

By the Court

[illegible]
Clerk

1854 Tuesday May 16th 1854 Continued

This cause coming on to be heard on this transcript of record from the Circuit Court of the United States for the District of New York and was argued by counsel on consideration whereof it is now here ordered adjudged and decreed by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and that this cause be and the same is hereby remitted to the said Circuit Court for the Southern District of New York

This cause coming on to be heard on this transcript of record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel on consideration whereof it is now here ordered adjudged and decreed by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and that this cause be and the same is hereby remitted to the said Circuit Court for the Southern District of New York

Richard Curtis Esquire of New York be admitted to
practice as an Attorney and Counsellor of this court
in the place of Samuel Hay Esq.

In this cause
Error from the Circuit
Court of the United States
for the District of Maine.

vs.

Isaac N. Bloch

This cause came on to be heard on the
transcript of the record from the Circuit Court
of the United States for the District of Maine and
was argued by counsel on consideration whereof it
is now ordered adjudged and decreed by this court
that the judgment of the said Circuit Court in this cause
be and the same is hereby reversed with costs and that
this cause be and the same is hereby remanded to the
said Circuit Court for further proceedings
to be had therein in conformity to the opinion
of this court.

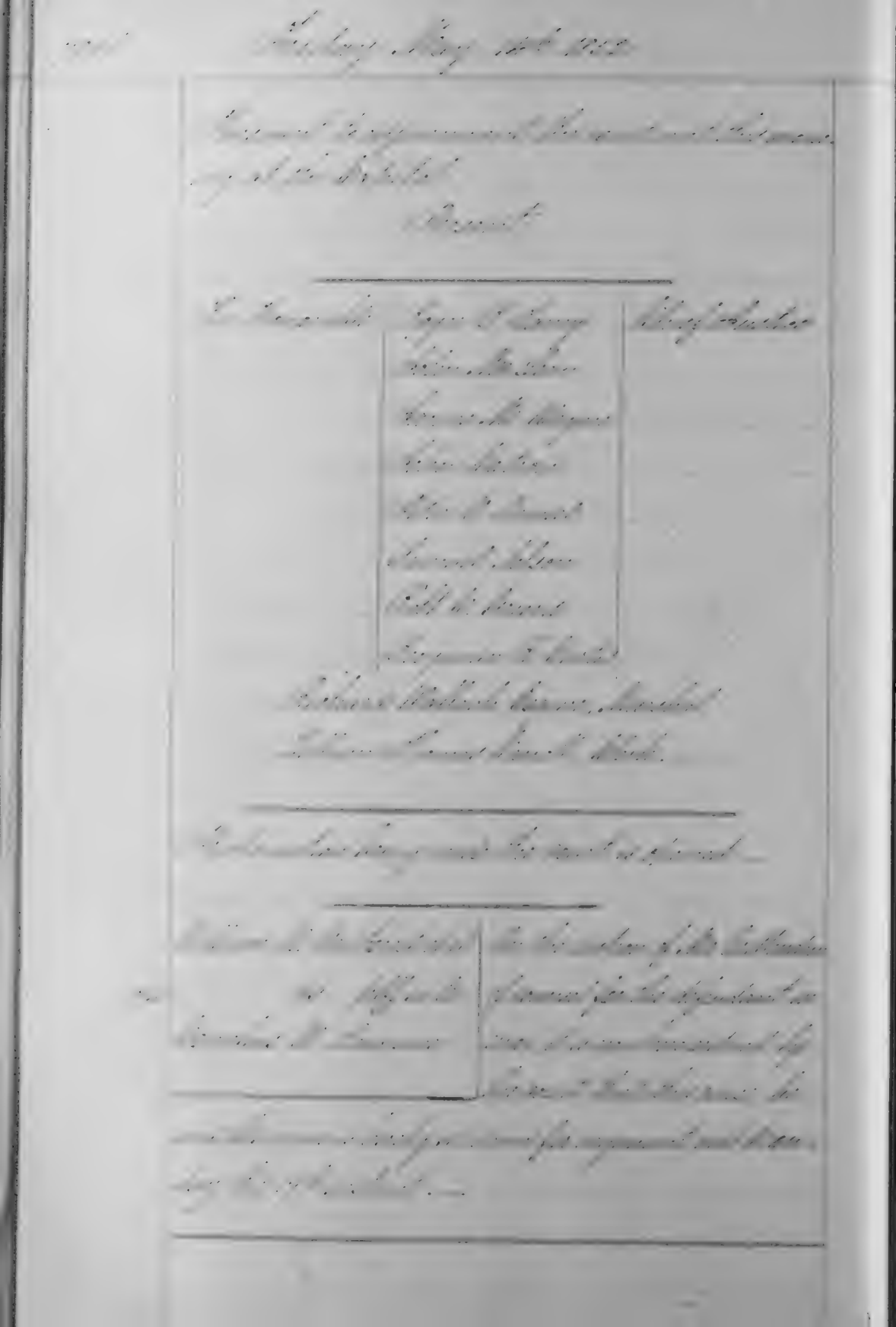
Per Mr Justice Thayer.

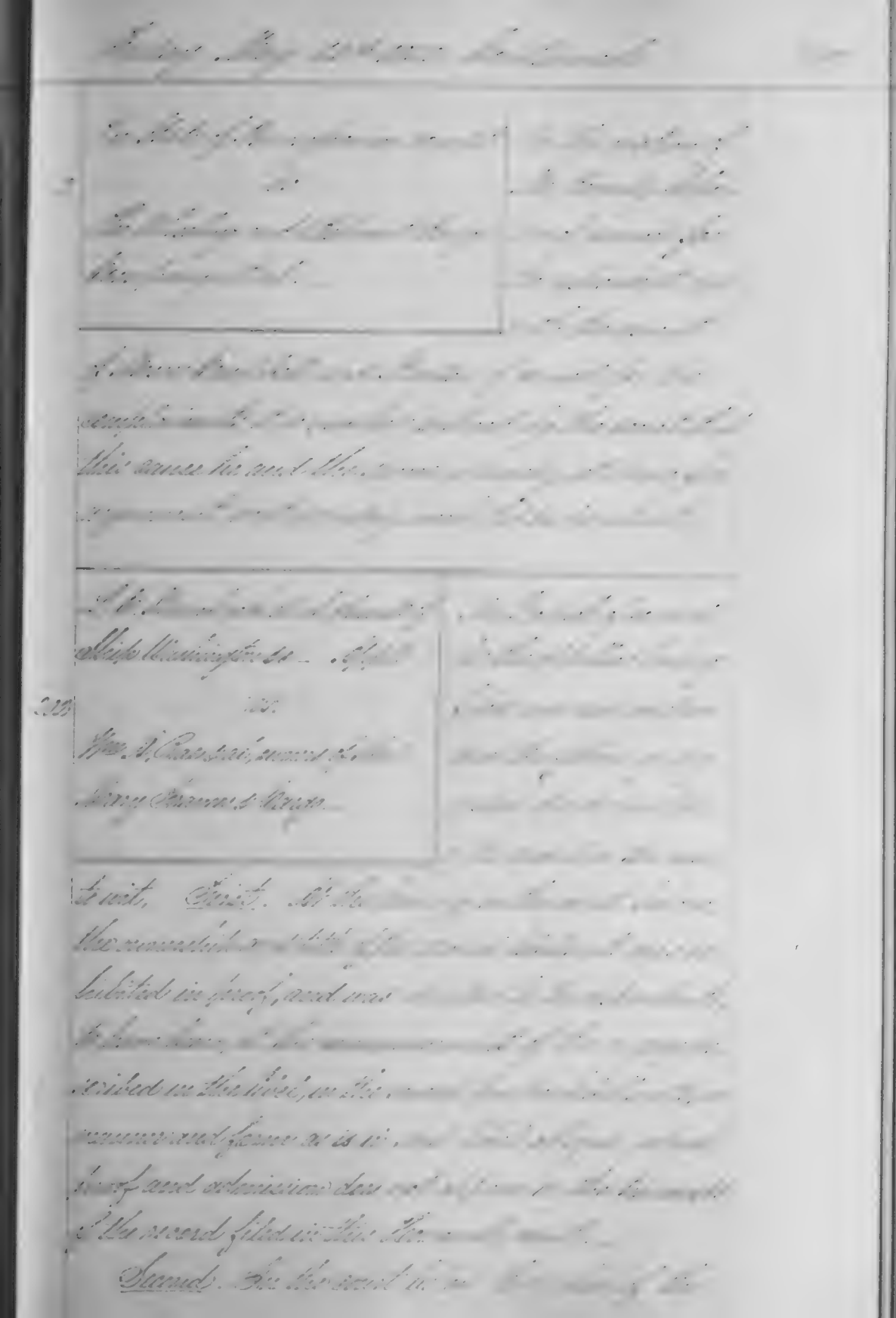
In the matter of the Petition
of James for the defendant
in error to have the
record of the case

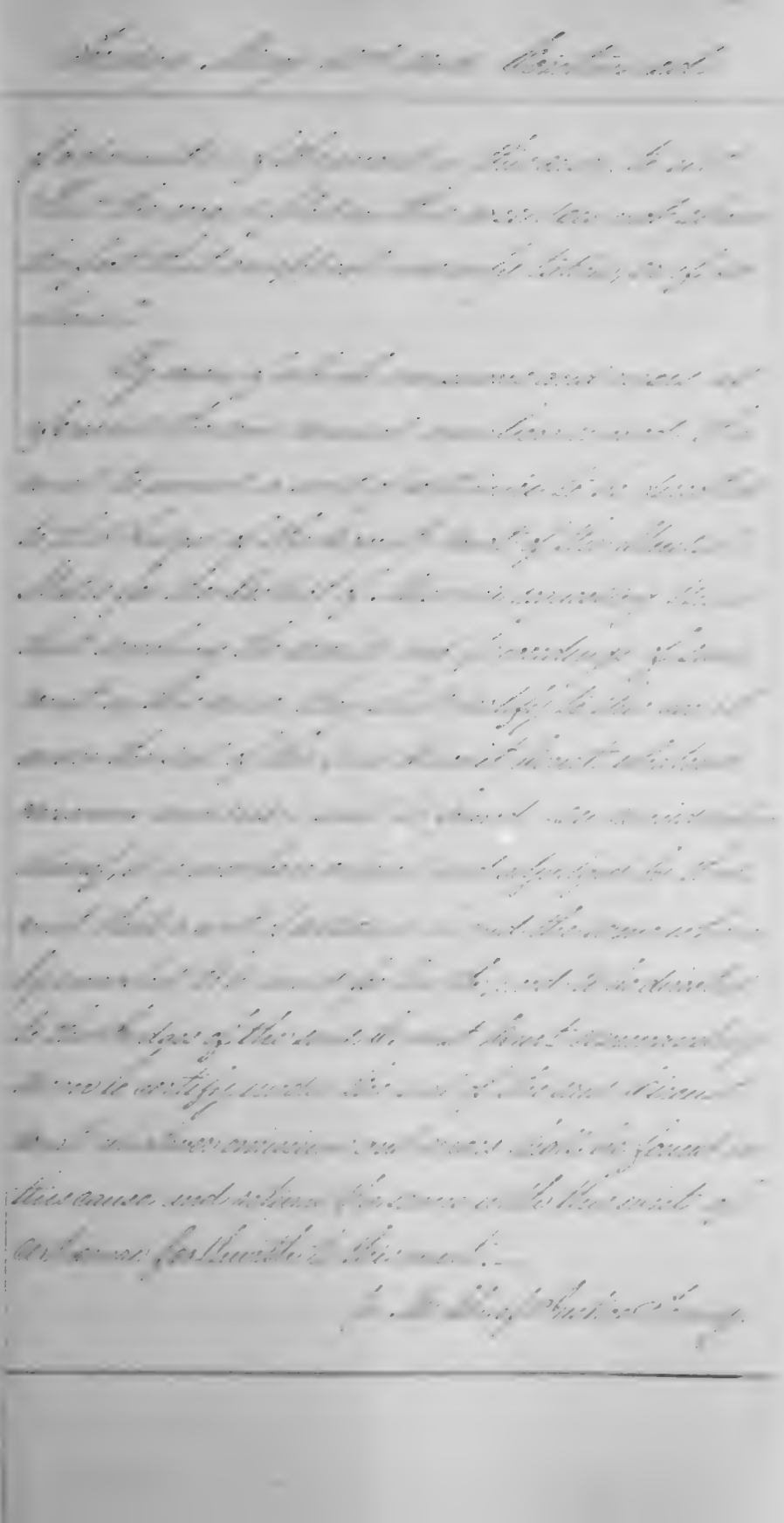
Samuel C. Hunt

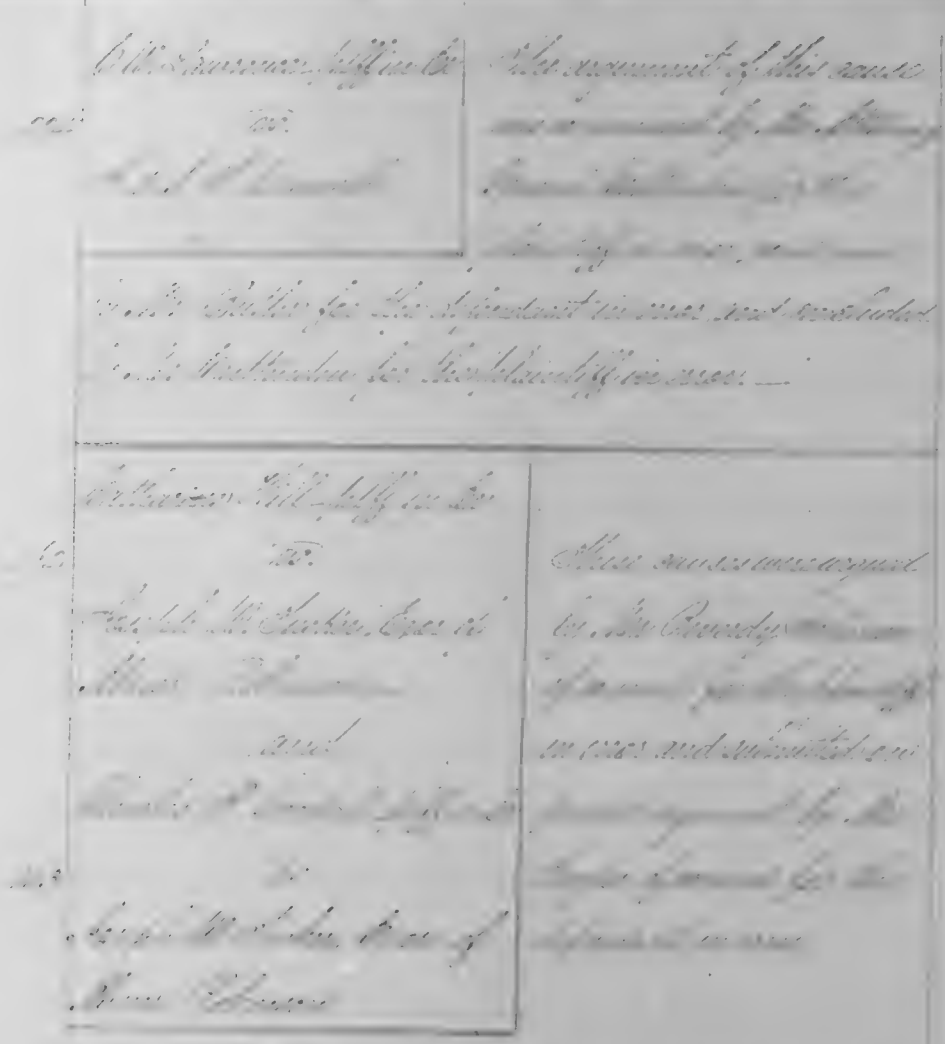
vs.

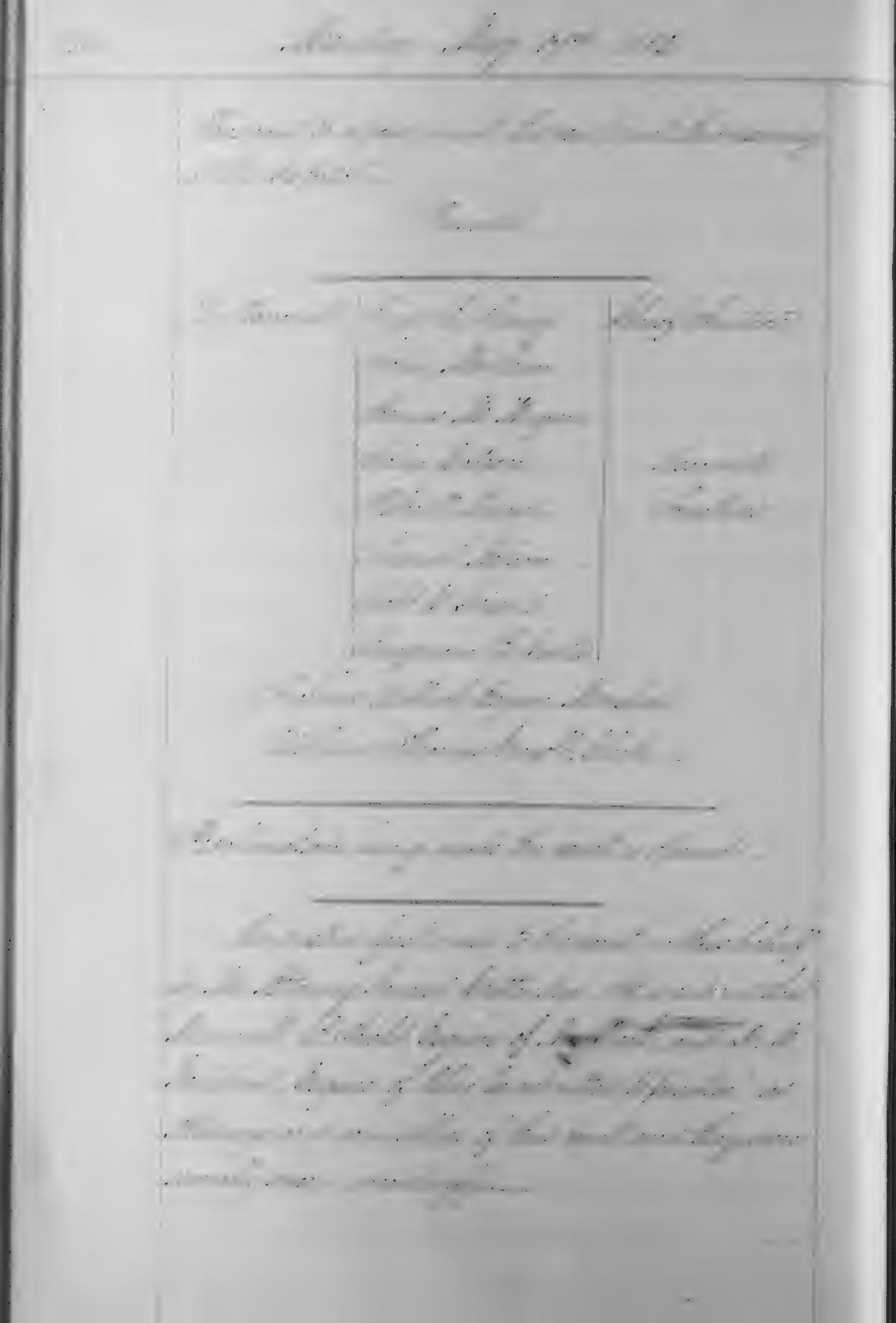
Samuel C. Hunt











[illegible] Monday [illegible] 1822

[illegible]

[illegible]

[illegible]

In this Court.

vs. Libels

made by the Conductor of Lem-
ber Day of the present term,

in these cases, to wit:

First. At the hearing in this court below, the

in the several foregoing libellants, in the

to appear in the transcript of the record filed in the

Second. In the said libels the

record, of the pleadings, and of the

amendments made under the orders of this court, are

of record in said court in said cause, and the

in the transcript of the record filed in this court.

Benjamin C. Howard, plff in Er
vs.
William Hindman et al. deft

On the motion of Mr. Nelson of counsel for the plaintiff in error, it is ordered that the mandate of this Court in the above entitled cause be, and the same is hereby recalled & withdrawn.

Proclamation being made the court is adjourned until tomorrow morning 11 o'clock.

[illegible]

[illegible]

[illegible]

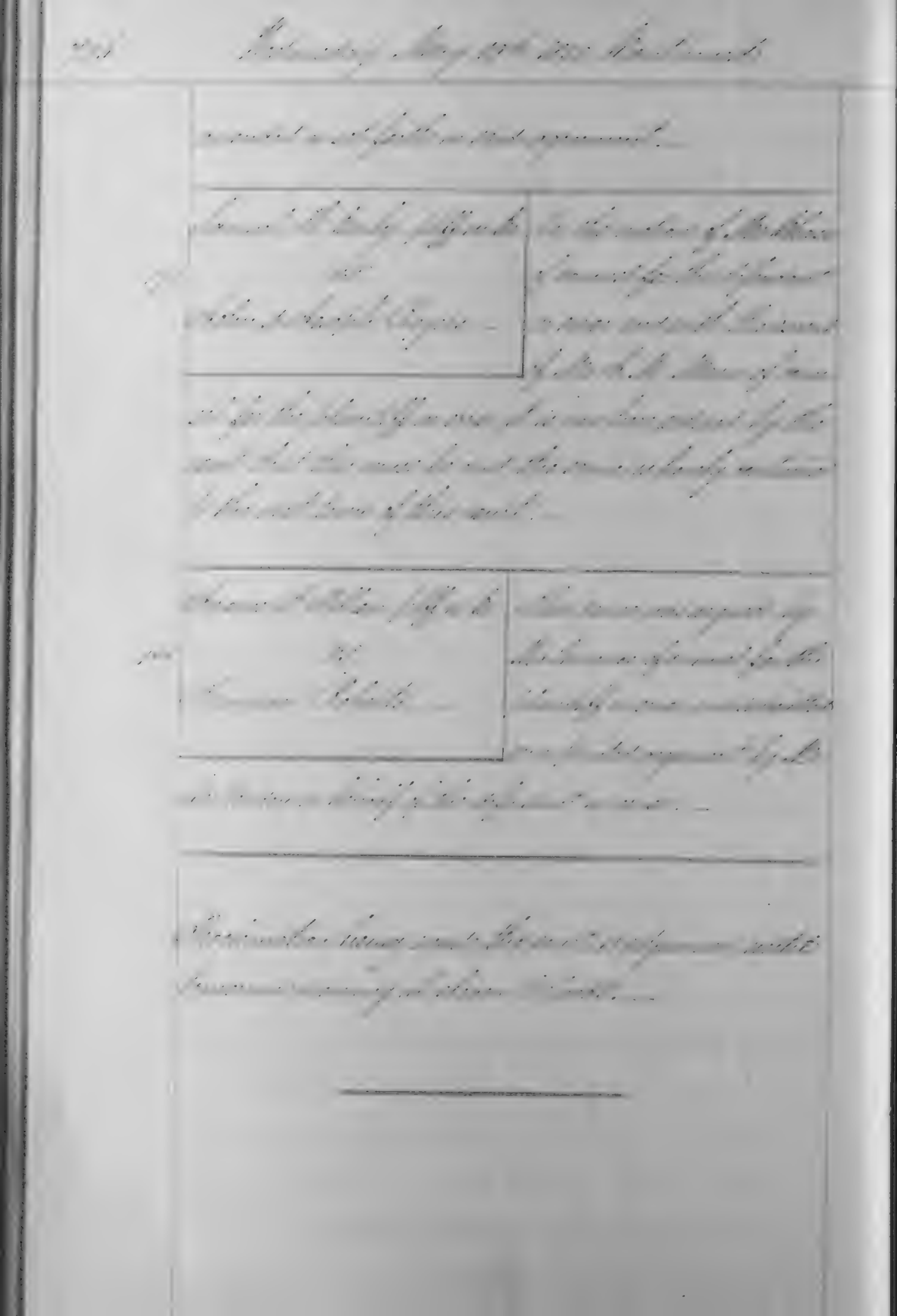
[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

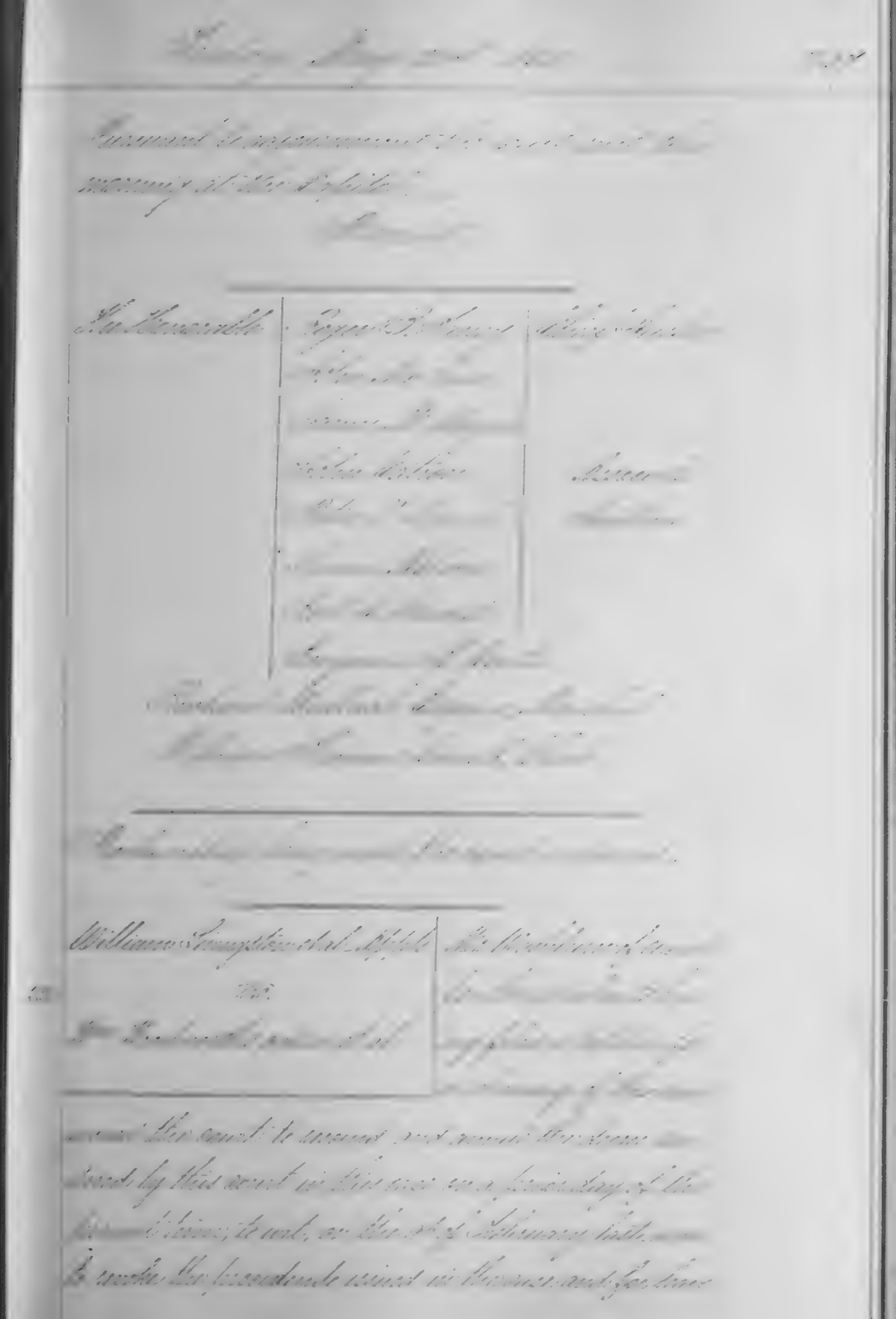


Thursday May 20th 1852 Continued

[illegible]

[illegible]

[illegible]



Monday May 24th 1852

Present

[illegible] Mills vs
vs.
William H. Mowry. —

On consideration of the motion of the Counsel for the Plaintiff this day made in this cause it is now here ordered by the court that the said motion be and the same is hereby overruled. —

321 [illegible] vs.
[illegible]

On consideration of the motion made in this cause by the Plaintiffs Counsel it is now here ordered by the court that the said motion be and the same is hereby overruled. —

[illegible] Mills vs
321 vs.
James M Smithett. —

It is now here ordered by the court that the order of the court of [illegible] in this cause be and the same is hereby affirmed and that the cause be and the same is hereby remanded to the said Circuit Court No 2. The [illegible] Bridge Company. —

Court to be continued to the next Court this morning
at 10 o'clock

Court

Ex Executive	Roger B. Taney	Att. Gen.
	Levi Woodbury	
	[illegible]	
	[illegible]	Associate
	Peter V. Daniel	Justices
	Robt. C. Grier	
	Benjamin R. Curtis	

Present William Gaston Esquire
Solicitor General elect

Ordered that Mary Ann Stewart

be admitted to practice as an attorney and counsellor of this court and that she
have a certificate

William Jones & Lewis A. Jones Plff in Error

vs

William M. Hall & Lewis A. Hall exrs of William

23rd

41 [illegible]
vs.
[illegible]
Louisiana.

[illegible] and Record of the United States for the Eastern District of

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana, and was argued by counsel on consideration whereof, it is ordered and adjudged by this court that the judgment of the said District Court in this cause be and the same is hereby reversed, and that the cause be and the same is hereby remanded to the said District Court with directions to award a new trial in the said cause, and to proceed in conformity to the opinion of this court.

By Mr. Justice Daniel.

42 Thomas Sutherland, Plaintiff
vs.
Thomas M. Sutherland.

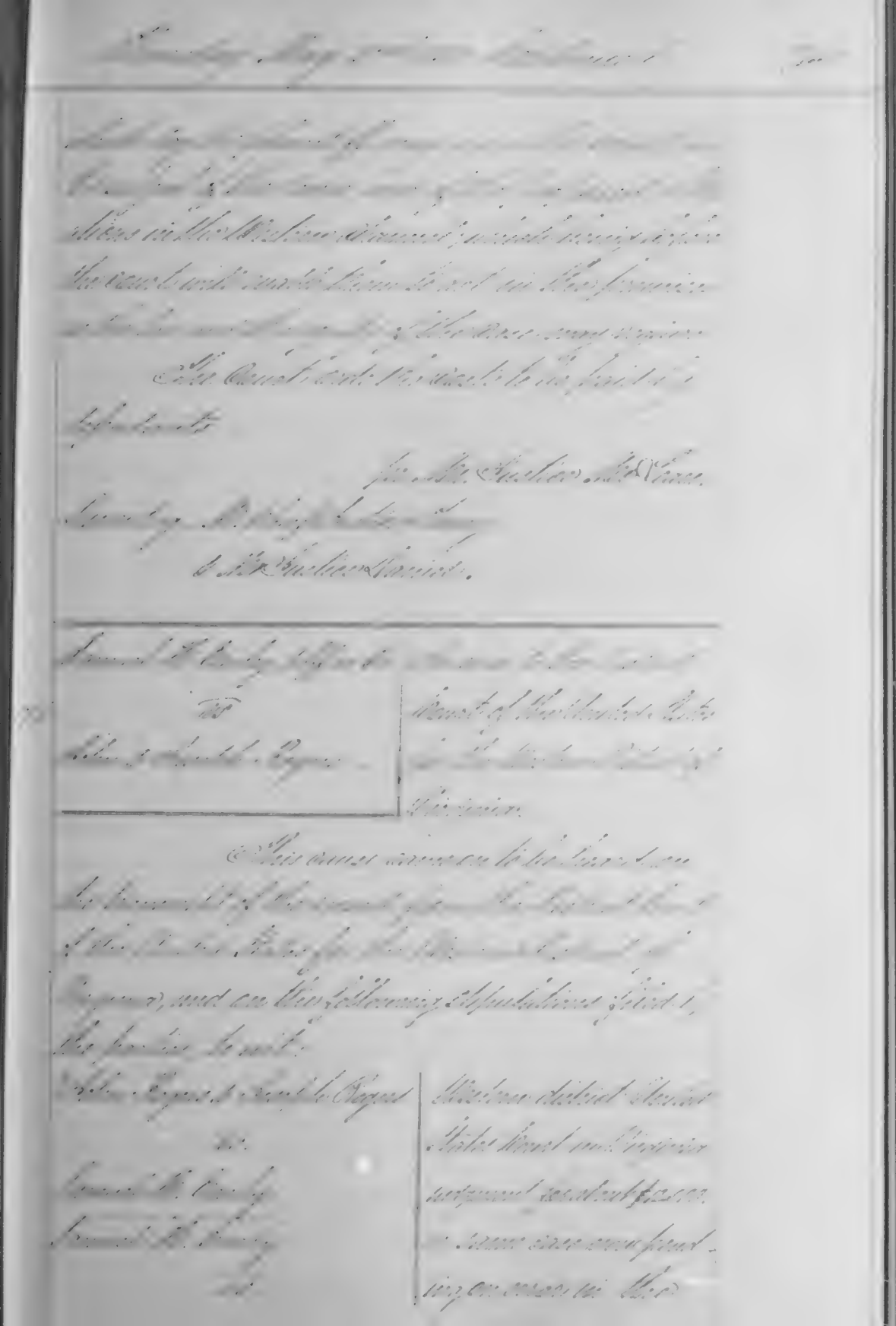
[illegible] writ of error to the [illegible] for the [illegible]

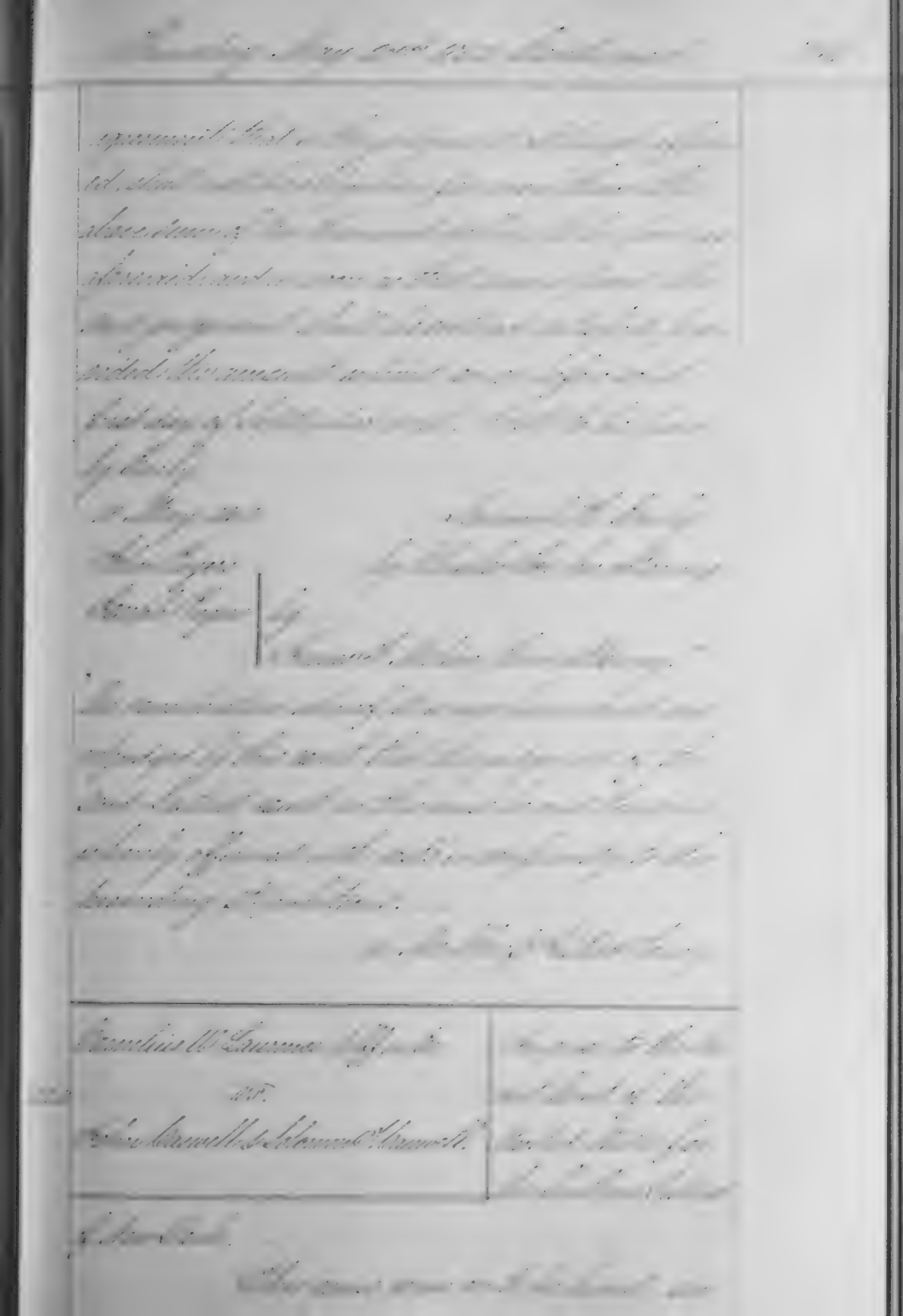
This cause came on to be heard on the transcript of the record from the District Court of the

...here is hereby declared to be an obstruction of said Eastmanville Window, to the height of one hundred and eleven feet, at least in its uppermost part above the...

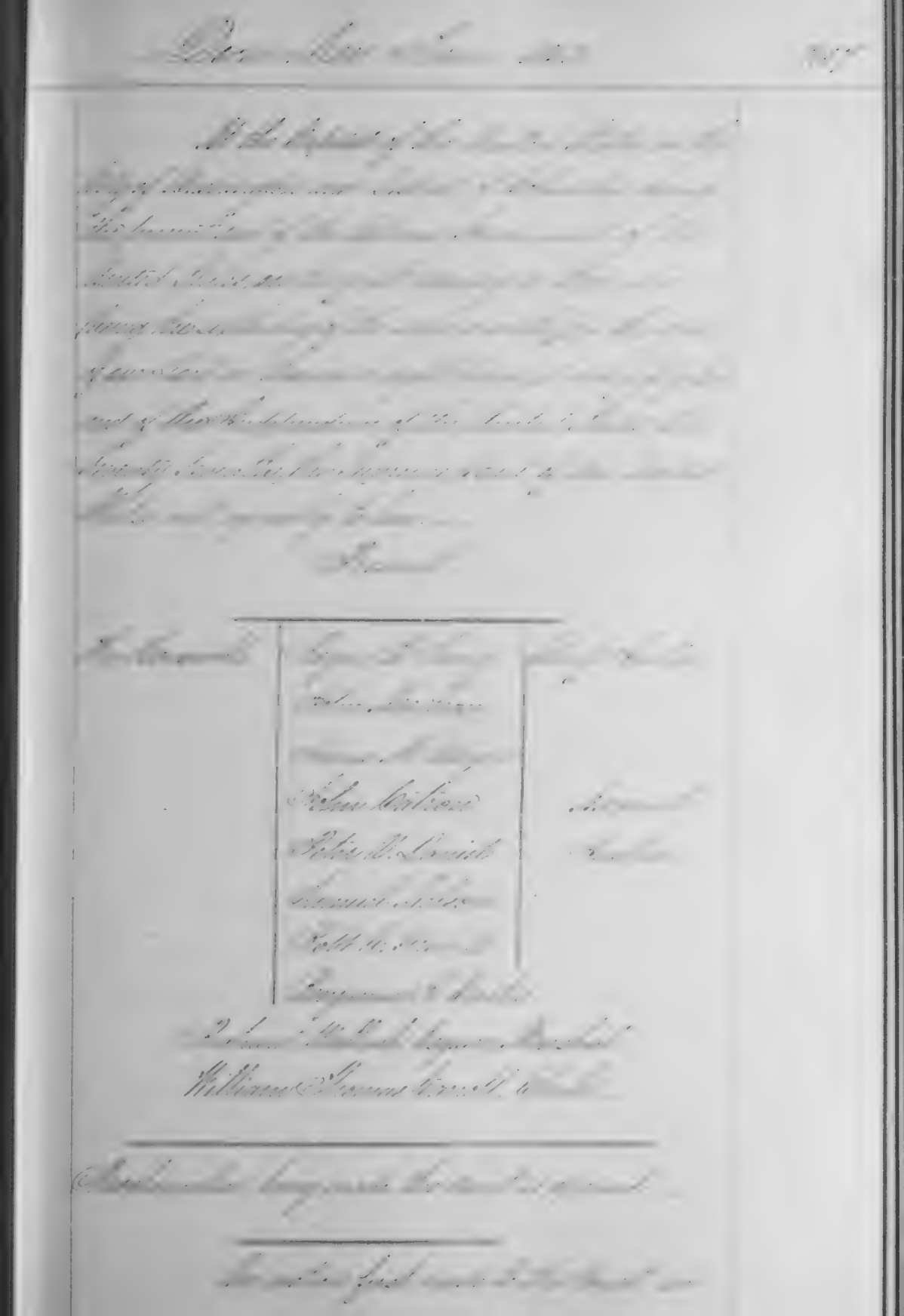
...eighteenth day of February 1856. —

Sworn the above dream was dreamed, certain...





Rule No 61.—



Pursuant to an agreement the court went this

day to the Capitol

Present

[redacted]

Proclamation being made the court is opened.

On motion Leave is granted to the court to file

[redacted]

Ordered that the Clerk of this Court do

[redacted]

On motion Leave is granted to the court to file

[redacted]

Tuesday Morning 10th Oct. Continued

behalf by Mr. Robinson. It is ordered that A. Henry Rowe Esqr. of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly. —

On motion ordered that the Clerk of this Court do pay to Mr. Attorney General Butler the sum of Two Hundred & Fifty Dollars and Fifty Cents out of the Contingent Fund of this Court, and that the Marshal of this District do pay over to the Clerk of this Court the sum of Two Hundred & Fifty Dollars and Fifty Cents out of the Fines, Penalties & Forfeitures in his hands accordingly. —

... et al Chancy Officers &c. vs. Ranfelt et Wife Extrx. —	Mrs. Graham (Executrix &c. of Andrew) Learned Law Chancellor of the State of Maryland filed the draft of Answer of Mrs. Graham Executrix &c. of Andrew Graham deceased to the Bill of Complaint of the said Complainants and filed Letters Testamentary & Authority from the Register of the Land Office of Maryland to the said Executrix to grant Warrants for Lands in the name of the said Andrew Graham deceased which were read & ordered to be filed.

Tuesday December 1st 1829 Adjourned

Richard Sadler Esq. Appellant	
vs.	
The Master of Chancery	

William H. Ogden adms. &c.	
vs.	
William H. Ogden's adms. &c.	

Resolved by the Legislature of the State of Texas

Peter H. Bell

Speaker of the House of Representatives

Richard Bullock Crump, President of the Senate

Approved August 9th 1852

Elisha M. Pease

Governor of the State of Texas

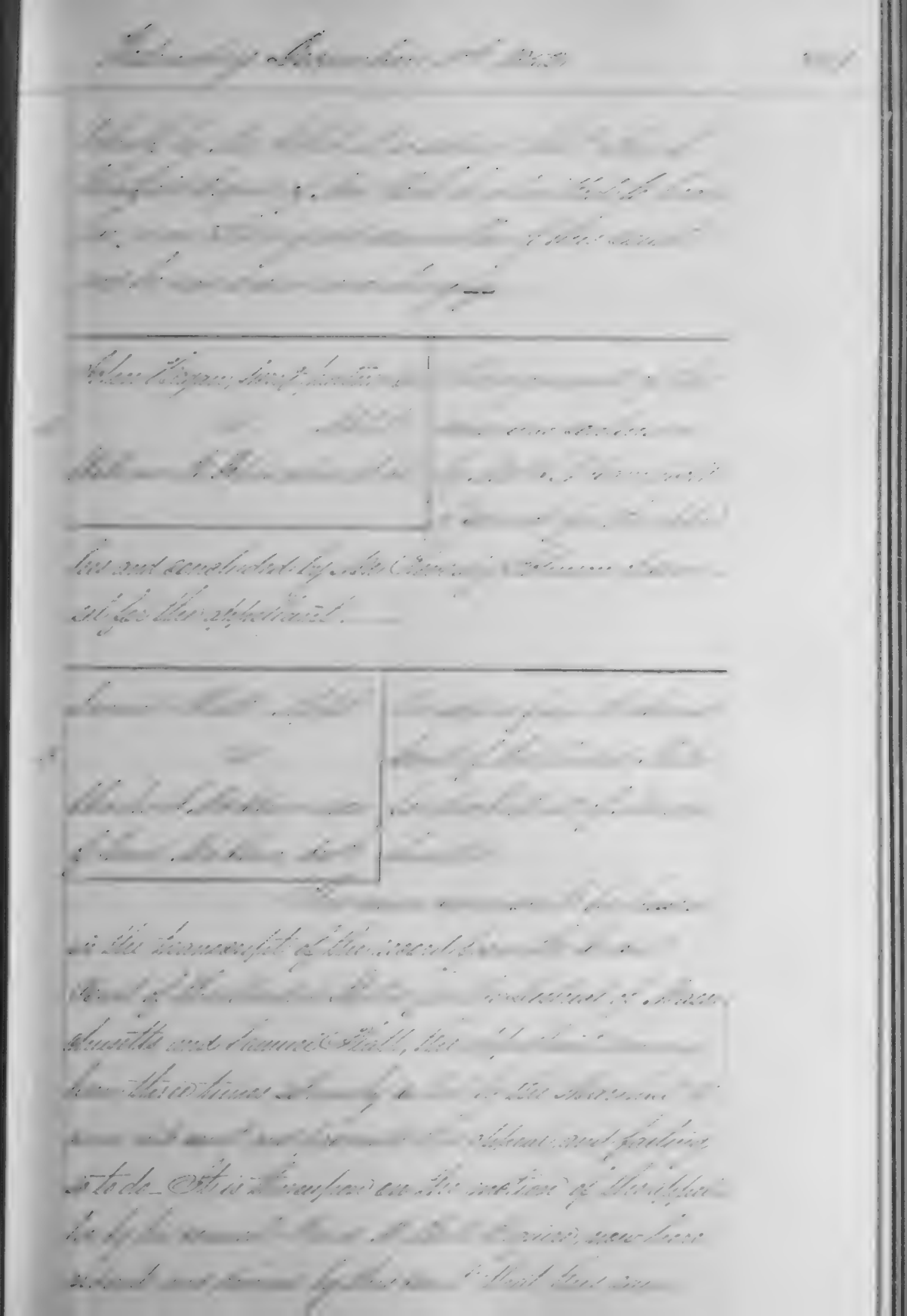
On motion it was

Resolved by the Legislature of the State of Texas

That the Secretary of State be authorized to procure the Seal of State, and that the Governor be authorized to draw his warrant on the Treasurer in favor of the Secretary of State for the amount of the expenses incurred in procuring said Seal.

On motion it was

Resolved by the Legislature of the State of Texas



Wednesday December 8th 1852 Continued

and the cause is hereby remanded with costs.

Mr Chief Justice Taney.

vs.

Defendants

In error to the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof, it is ordered, pursuant to the 50th rule of this court, that the said writ of error be and the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court

Mr Chief Justice Taney.

Mr. Chief Justice Taney

Mr. Justice

Mr. Justice

Mr. Chief Justice Taney

Mr. Justice

Mr. Justice

[illegible]

1 [illegible]
vs
[illegible]

[illegible]

2 [illegible]
vs.
[illegible]

[illegible]

[illegible] of the Court held on the [illegible] day
[illegible] the [illegible] day of December A.D.

The Board of Police Commissioners of the County
of Madison, appointed [illegible]

The matter of Chief of Police Committee
reported that a committee of three gentlemen be appointed
by the Chair to prepare and report to the meeting
such rules as the powers of the Commissioners
of the Board of Police for the Government
Police of the Supreme Court of the State of New York.

Whereupon the Chair appointed Messrs
Wm. Eaton of the City of Hamilton, Henry
Wilson Esqrs of Brookfield and William Smith Esq
one of the Supreme Court to constitute the committee.

On the motion of the committee appointed
to examine the following candidates who were unanimously elected —

Resolved. That among the applicants for
Police men to be appointed this day shall be such
as are known to the Commissioners during the last
six months as are generally called upon to perform
the duties of the Police, that the Secretary notify the
several persons that their names have been
on the Board of the Supreme Court, and that the same

In the matter of [illegible]
and others
[illegible]

[illegible]

Amt.

[illegible]

In the matter of [illegible]
a persons and claimed as a
fugitive from justice.—

[illegible]

3748

Present

The Justices	Roger B. Taney	Chief Justice
	Peter V. Daniel	
	James M. Wayne	
	John Catron	Associate
	John McKinley	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis	

Edward Bates, Esq. Attorney

William Henry Brodhead, Esq. —

Motion for Mandamus

On motion filed and made to the Court in this case by Mr. Brodhead of counsel for the Relator and on reading the Petition of the Relator and the Rule to shew cause of Wednesday last and counter affidavits of the Respondents this day read and duly considered by the Court

Supreme Court of the United States

October Term, 1894.

No. 1, Original.

The State of Kansas, Complainant,

vs.

The State of Colorado, The Cheyenne and Arapahoe Ditch Company, The Bessemer Ditch Company, The Rocky Ford Ditch Company, The Catlin Consolidated Canal Company, The Holbrook Canal Company, The Arkansas Valley Ditch Association, The Las Animas Consolidated Canal Company, The Lamar Canal and Irrigation Company, The Buffalo Canal Company, The Fort Lyon Canal Company, The Oxford Farmers Ditch Company, The Otero Ditch Company, The Graham Ditch Company, The Model Land and Irrigation Company, The Enterprise Ditch Company, The Hardscrabble Canal Company, The Rocky Ford Land Company, The Rocky Ford Irrigating Ditch Company, The Bessemer Irrigating Ditch Company, The Colorado Fuel and Iron Company, The Pueblo Water Company, The Pueblo Canal Company, The Colorado Canal Company, The Bessemer Land and Improvement Company, The Pueblo Land and Improvement Company, The Arkansas Valley Land and Irrigation Company, The Colorado Land and Irrigation Company, The Arkansas Valley Land and Trust Company, The Colorado Land and Trust Company, The Arkansas Valley Farms Company, The Colorado Farms Company, The Arkansas Valley Improvement Company, The Colorado Improvement Company, The Arkansas Valley Town Company, The Colorado Town Company, The Arkansas Valley Investment Company, The Colorado Investment Company, The Arkansas Valley Trust Company, The Colorado Trust Company, The Arkansas Valley Loan and Trust Company, The Colorado Loan and Trust Company, The Arkansas Valley Bank, The Colorado Bank, The Arkansas Valley Savings Bank, The Colorado Savings Bank

a writ of certiorari, to wit:—

"The undersigned, counsel for the

plaintiff in error in the case of

[illegible] in the Circuit Court of the

United States for the Northern District of

Illinois, Eastern Division, hereby applies for

a writ of certiorari to the Circuit Court of the

United States for the Northern District of

Illinois, Eastern Division, to bring up the

record and proceedings in said case, and

that the same may be reviewed by the

Supreme Court of the United States.

A. P. Butler, counsel for plaintiff in error."

And now, on this 6th day of May, A.D. 1889,

the foregoing application is granted, and the

writ of certiorari prayed for is allowed.

[illegible] Elizabeth [illegible]

[illegible] et al — Appellants

vs.

41

[illegible] et al

[illegible] from the [illegible] of the [illegible] the [illegible] of [illegible]

[illegible] the [illegible] of the [illegible] [illegible] of the [illegible] of the [illegible] of the [illegible] [illegible] of the [illegible] of the [illegible] of the [illegible] and was argued by Counsel. On consideration whereof it is ordered and adjudged that the said decree of the [illegible] of the [illegible] of the [illegible]

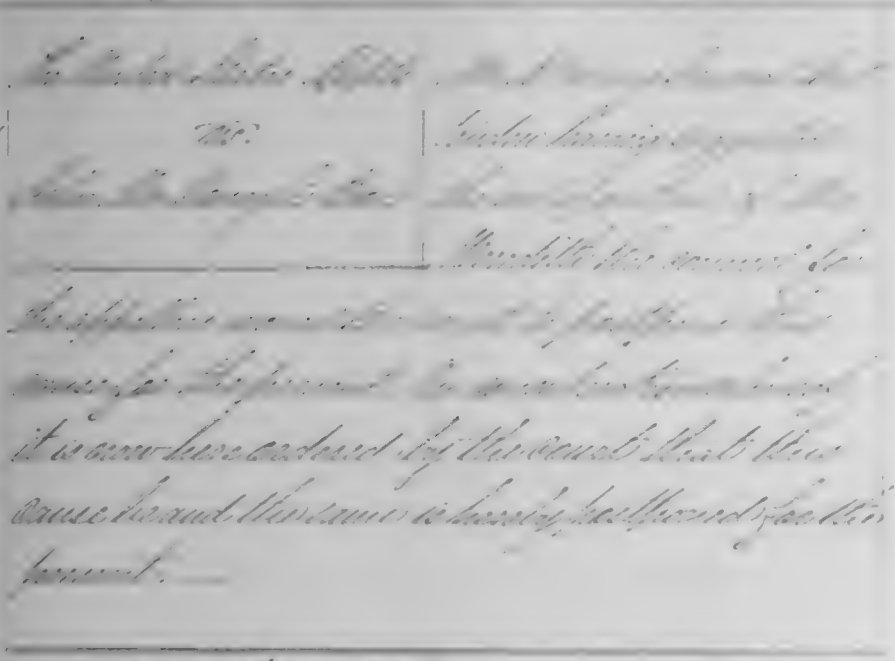
12

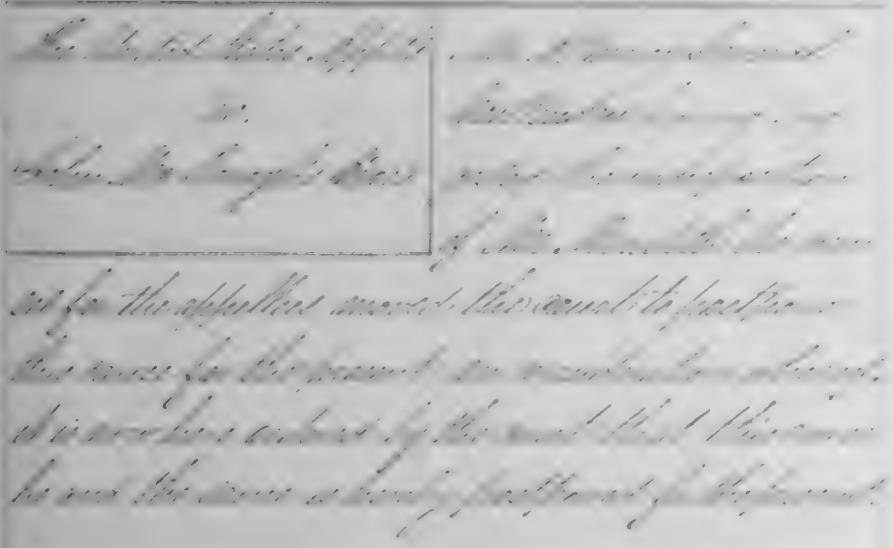
vs.

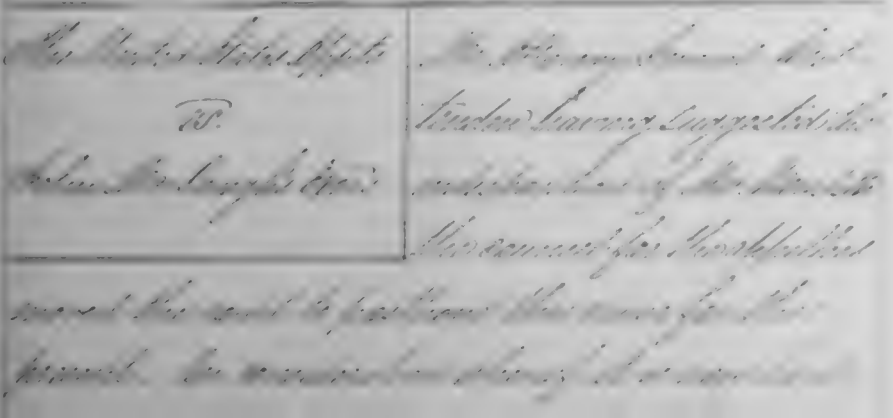
3

vs.

Sunday December 16th 1820 Session







Friday December 21st 1855 Continued

motion of the court that the case be read the
first time & docketed for the present. —

In the United States Circuit
Court
vs.
Daniel Brent et al

The Attorney General & Mr.
Key of counsel for the plaintiff
moved the court to pass
over this case & enter the
docket of the second Monday in January next
which motion was overruled by the court &
the case docketed & ordered to be set for
hearing for the first day of the next term
of this court. —

In the United States Circuit
Court
vs.
Daniel Brent et al

The same came on again & the
Attorney General & Mr. Key
of counsel for the plaintiff
moved the court to pass over
the case & docket it for the
second Monday in January next
which motion was overruled by
the court & the case docketed &
ordered to be set for hearing
on the first day of the next term
of this court. —

Ordered that Henry Lewis be appointed
Marshal pro hac vice for the purpose of
holding the ensuing session of this court. —

No. [illegible]

[illegible]

vs.

[illegible]

Appeal from the District Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana, and was argued by counsel; on consideration whereof, it is now here ordered and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs.

[illegible]

No. [illegible]

[illegible]

vs.

Simon L. Jones's Heirs

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana, and was argued by counsel; on consideration whereof, it is now here ordered and decreed by this Court that the said decree be and the same is hereby affirmed with costs.

No. [illegible]

David C. Freeman

vs.

[illegible]

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana, and was argued by counsel; on consideration whereof, it is now here ordered and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs.

Prayers to be held as usual on
to-morrow morning at eleven O'clock.—

Friday December 9th 1842 continued

Ordered by the Court that the Defendant be
at the Attorney and Counsellor of this Court and have
leave accordingly.

41 [illegible] vs. Ripley
[illegible]
Ordered by the Court that the Plaintiff have leave to amend
his Bill in this cause.

56 Joseph Fairbanks [illegible] vs. Ripley
George Bowlands [illegible]
Ordered by the Court that the Defendant have leave to amend
his answer in this cause on payment of the Costs
of the Exceptions thereto and that the Complainant
have fifteen days to reply to the Defendants answer
when so amended.

42 Joseph Nelson [illegible] vs.
Isaac M. Keen [illegible]
Ordered by the Court that the Defendant have leave to amend
his answer on payment of the Costs of the Exceptions
and that the Complainant have fifteen days to reply
to the same when so amended.

Lessee of Redmond, Plaintiff in Error
vs.
Action of Ejectment for [illegible]

Error to the circuit court for the district of Columbia.

Mr. Attorney General for the defendant in error moved the court to dismiss the writ of error in this case, for want of jurisdiction in this court.

This cause came on to be heard on the transcript of the record from the circuit court of the district of Columbia, and was argued by counsel; on consideration whereof, it is the opinion of this court, that this court has not jurisdiction of the writ of error in this case, and that the same ought to be dismissed.

The United States, Plaintiffs in Error
vs.
Lessee of Redmond

No. 212

Error to the circuit court for the district of Columbia.

This cause came on to be heard on the transcript of the record from the circuit court of the district of Columbia, and was argued by counsel; on consideration whereof, it is the opinion of this court, that this court has not jurisdiction of the writ of error in this case, and that the same ought to be dismissed.

Lessee of Redmond, Plaintiff in Error
vs.
Lessee of Redmond

Error to the circuit court for the district of Columbia.

This cause came on to be heard on the transcript of the record from the circuit court of the district of Columbia, and was argued by counsel; on consideration whereof, it is the opinion of this court, that this court has not jurisdiction of the writ of error in this case, and that the same ought to be dismissed.

Seal

Friday December 5th 1851 Adjournment

Monday December 3rd 1866

Present

Present

Lately appointed with costs. —

In the Exchequer Chamber

Yesterday. Mr Serjeant Wrottesley. —

	Lessee Evans Esqr &c vs. Wm. M. Morgan	In consideration of this case being made over to Mr Serjeant Wrottesley at the present time of the Court to discuss the case of Evans and the opinion of Serjeant Crompton that a verdict should be entered for the plaintiff. After some remarks by the Court that they could not see the case in a light favorable to the plaintiff —
96		

	Knight for Plaintiff in error vs. Sir Geo. Cornewall Lewis	In consideration of this writ of error being made over to Mr Serjeant Wrottesley at the present time of the Court to discuss the case of Knight and the opinion of Serjeant Crompton that a verdict should be entered for the plaintiff. After some remarks by the Court that they could not see the case in a light favorable to the plaintiff —
97		

	Thomas Lloyd Esqr et al vs. Thomas Thomas et al	The argument of this cause was resumed by Mr Lloyd for the plaintiff in error. —
98		

[illegible]

[illegible]	[illegible]
22	
[illegible]	

[illegible]

[illegible]	[illegible]
23	
[illegible]	

[illegible]

Court to adjourn to the Court House
ing at the Hospital. —

Court

The Honorable Isaac P. Jones — Chief Justice
Peter McFarlane
James M. Brown
John Watson — Associate
Geo. McLeod — Justices
Samuel Adams
Robt. W. Smith
Supreme Court

Robert Potter Esqre Marshal
William Jones Deputy Clerk

Proclamation being made the Court is opened. —

Ex parte Thomas — Motion to the Circuit Court of the
vs — United States for the Eastern District
Jesse Thomas — of Tennessee. —

The same coming to be heard on the
Transcript of the record from the Circuit Court of the
United States for the Eastern District of Tennessee
and was argued by counsel on consideration whereof
it is now here ordered and adjudged by this court

Tuesday, December 9th 1851 Adjournment

32	Henry Smith et al vs. Hall Court of Chancery et al	In consideration of the motion made in the cause pending by the consent of the solicitors for the parties by which it was ordered by the court that leave have to the Court of Chancery that such by the authority of the Court of Chancery be entered as the consent order that such by the authority of the Court of Chancery be entered as the consent order of this Court and that the injunction be awarded as the consent order of this Court
31	Isaac Terry Sheriff & Mail Contractor vs. Hughes Circuit Court of [illegible]	The appearance of the defendant was entered by the Clerk of this Court for the plaintiff and ordered by the Court that the defendant plead to the declaration

Ordered that the writ of error in the above cause be dismissed at the plaintiffs costs

Friday December 2nd 1892

[illegible]

[illegible]

[illegible]

[illegible]

1291 [illegible] vs. [illegible]

[illegible]

[illegible]

[

Further to adjournment the court met this morning at the Capitol. —

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate Justices
	Peter V. Daniel	
	Samuel N. Nelson	
	Robt C. Grier	
	Benjamin R. Curtis	

Richard Cutts Parker, Marshal
William Thomas Carroll Clerk

Ordered that leave be granted the court to adjourn

Henry A. Pratt et al	vs	Appeal from the Circuit Court of the District of Columbia for the County of Washington
Samuel A. Lowe et al		

52

This cause came on to be heard on the transcript of the record from the Circuit Court of the District of Columbia for the County of Washington and was argued by counsel. —

Ordered that leave be granted to enter on the docket

Present

Richard Wallach Esquire ...
William Thomas Carroll ...

vs.	

This cause coming on to be heard ...

[illegible]

[illegible]

[illegible]

Wednesday December [illegible]

[illegible]

[illegible]
Robert B Bowie
vs. Motets
Francis S Chambers

[illegible]
United States
New District of Texas

[illegible]

[illegible]

"On this cause [illegible]
[illegible] dismissed [illegible]
[illegible]"

22

[illegible]

[illegible] Debts

[illegible]

[illegible]

23

[illegible]

William S. Mines. ——

[illegible]

[illegible]

[illegible]

David M. Hughes
vs.
Reuben B. McCall

Supreme Court of the United States
October Term A.D. 1852

1826

146

vs.

35

vs.

36

vs.

[illegible]

[illegible]

[illegible]	[illegible]	[illegible]
	[illegible]	
	[illegible]	
	[illegible]	
	Peter V. Lewis	[illegible]
	[illegible]	
	[illegible]	
	Benjamin C. Curtis	

Richard Wallach Lewis [illegible]

[illegible]

Proclamation Lewis made Thereupon [illegible]

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

[illegible]

Present

Wm Hancock	Isaac S. Pierson	Clerk
	[illegible]	
	[illegible]	
	[illegible]

Pursuant to adjournment the [illegible] met
at the Capitol

Present

The Commonwealth	Roger B. Taney	Chief Justice
	Asher Mc Elwee	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robt C. Grier	
	Benjamin R. Curtis	

[illegible] Clerk
William Thomas Carroll, Marshal

[illegible]

[illegible]

The United States Appellants
vs.
[illegible] Appellees

Appeal from the
[illegible]

This cause came on to be heard on the
transcript of the record from the District Court of the
United States for the [illegible] and was argued by counsel on the [illegible]

[illegible]

[illegible]

[illegible]

The Board of Trustees of the Tuscumbia University

vs. Millwee &c

The State of Ind.

[illegible]

40

[illegible]

42

[illegible]

vs.

[illegible]

[illegible]

Recorded December 1832.

Northern District of New York ss. At a court of
Common Pleas continued and held at the Court
House in the City of Albany within and for the
County of Albany on the fourth Tuesday of
January in the year of our Lord one thousand
eight hundred and thirty one

Peter Hyde & others
Trustees of the
Albany Orphan Asylum
vs.
Richard M. Meyer

The motion of the
Counsel for the Plaintiffs
in this cause for the
Plaintiffs to Enter
a Default against the
Defendant for not
appearing plead answer
or demur to the Plaintiffs
Declaration filed in this
cause is granted
Ordered that the Plaintiffs
have leave to enter a
Default against the
Defendant for not
appearing plead answer
or demur to the Plaintiffs
Declaration filed in this
cause

Wednesday January 22nd 1800

Richard Whitlock Esquire Chancellor
William Thomas Barnett Esquire

Ordinations were made by the Right Reverend

The petition of Richard Whitlock Esquire of New Hampshire to be admitted to practice as an Attorney and Counsellor at Law and he was sworn accordingly.

Council to adjourn and do not meet the morning at the Capitol. —

Council

Present	[illegible]	[illegible]
	John M. Lea	
	James M. Brown	
	John Watson	Council.
	Peter W. Gravit	Justices
	Emmet Moore	
	[illegible]	
	Benjamin B. Smith	

[illegible]

Proclamation being made the court is opened.

On motion Levit wants to the court on his behalf by the Sheriff. It is ordered that Levit Moore Esquire of Rockingham be admitted to practice as an Attorney and Counsellor of this court and he was accordingly.

No. 1 — Motion Denying a New Argument

The Attorney General of the United States having
replied to said argument —

The United States Appt.	The argument of this cause was concluded by the Attorney General on behalf of the appellant —
vs.	
Edmund C. Stanton et al	

Motion for leave to file a supplemental
Transcript overruled —

Ordered to be printed with the amendment this morning of the Senate.

Passed.

In Assembly [illegible]

[illegible]

[illegible] Ayes
Peter W. Davies Noes
Robt W. Davies
[illegible]
Samuel Adams.

[illegible]

Ordered that the Senate be informed.

[illegible]

[illegible]

[illegible]

[illegible]

	Benjamin D. Harris [illegible] vs [illegible]	The argument of this cause was commenced by Mr. [illegible] for the Complainant & continued by Mr Seaman Lee counsel for the defendants in error and concluded by Mr Sibley for the plaintiff in error.
51	[illegible] Saunders Lewis et al vs Ellett [illegible]	This cause was argued by Mr [illegible] for the plaintiff in error & by Mr [illegible] counsel for the defendants

counsel for the appellees.

[illegible]

[illegible]

[illegible]

[illegible]

Present

Judges

Clerk

Sheriff

Attorney

Counsel

Defendant

vs.

Answer to Interrogatories
Filed in the State of
Louisiana.

Monday January 24th 1853

Court met pursuant to adjournment the court met this morning at the Capitol. —

Present

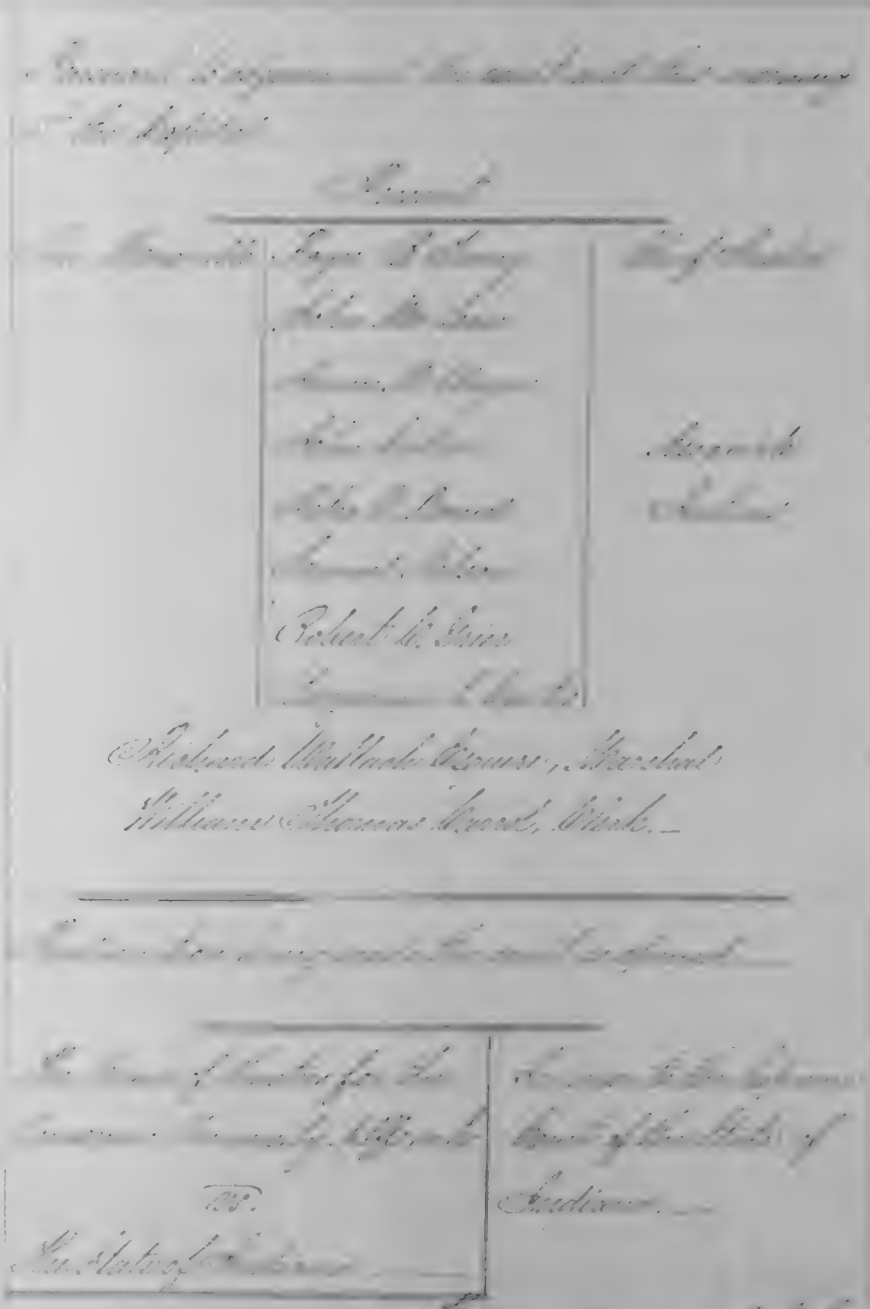
The Justices	The Hon. Chief Justice	Chief Justice
	Hon. Abel P. Upshur	
	Hon. James M. Wayne	
	Hon. John Nelson	Associate
	Hon. Peter V. Daniel	Justices
	Hon. Samuel Nelson	
	Hon. Robert C. Grier	
	Hon. [illegible]	

Richard Wallach Esquire, Marshal
William Thomas Carroll, Clerk. —

Proclamation being made the court is opened. —

The motion first made to the court in this day-
ing of Mr. [illegible] to be admitted [illegible]
Esquire of this city to practice as an Attorney
and counsellor of this court and he was accordingly
so.

Sunday January 25th 1852



40

Warrant to adjournment Warrant that the warrant

[illegible]

Warrant

[illegible]	[illegible]	[illegible]
	[illegible]	
	[illegible]	
	[illegible]	[illegible]
	[illegible]	[illegible]
	[illegible]	
	[illegible]	
	[illegible]	

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Present

Hon Thos Scott

Richard Wallace Esquire, Marshal
William Thomas Brandt, Clerk

vs.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby re-

Present

Alex Kenneth.	Roger C. Sawyer	Clerk of the Court
	Silas McGraw	
	James M. Hyer	
	Silas Watson	Associate
	Peter W. Levine	Justices
	[illegible]	
	Robert C. Smith	
	[illegible]	

[illegible]

[illegible]

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

[illegible]

Present

[illegible]	[illegible]	[illegible]
	[illegible]	
	[illegible]	
	[illegible]	[illegible]
	[illegible]	[illegible]
	Samuel Nelson	
	Robert Wilson	
	[illegible]	

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Ordered that the Secretary of the Senate and the Clerk of the Assembly

Ordered

Hon Hiram Ketchum Hon Charles Mann Hon Victor Hugo
Hon Edward Sandford
Hon Isaac Wright
Hon Victor Hugo
Hon Peter P. Sharpe
Hon Samuel Stevens
Hon Robert H. Morris
Hon Benjamin F. Manierre

Richard Wallace Esquire, Counsellor
William Thomas Howell, Clerk

Ordered that the Journal of this day be read

On motion Ordered that this Court do now
adjourn to the City of New York and that the Hon
the Chancellor of the State of New York be admitted to sit with the
Judges of this Court and preside at the Trial of the said Impeachment
accordingly.

William Hardy Appellee
vs.
Miller Appellant

Appeal from the District Court of the United States for the District of Iowa

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Iowa and was argued by counsel. On consideration whereof it is now here ordered by this Court that the decree of the said District Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the said District Court with instructions to dismiss the bill of complaint in this cause for want of equity.

per Mr Justice Wayne.

444

William Hardy & Wm B. Hardy
vs.
James R. Hardy

Appeal from the District Court of the United States for the District of Iowa

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Iowa and was argued by counsel. On consideration whereof it is now here ordered and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed

Wednesday February 9th 1852

Pursuant to adjournment the Council met this morning at the Capitol.

Present

His Excellency Elijah Pierce Esq
Wm M Lee
James M Hyer
Wm Dixon
Peter McDevitt
Isaac Allen
Edward Bond
Thomas Fletcher

Absent
Wm Cox

Wm Fitzhugh Gale Esq was duly elected

Wm Cox Esq was duly elected

The Journal of the proceedings of the last session of the Council was read and approved.

The Governor laid before the Council the following Message, to wit:

1822 Friday February 25th 1822

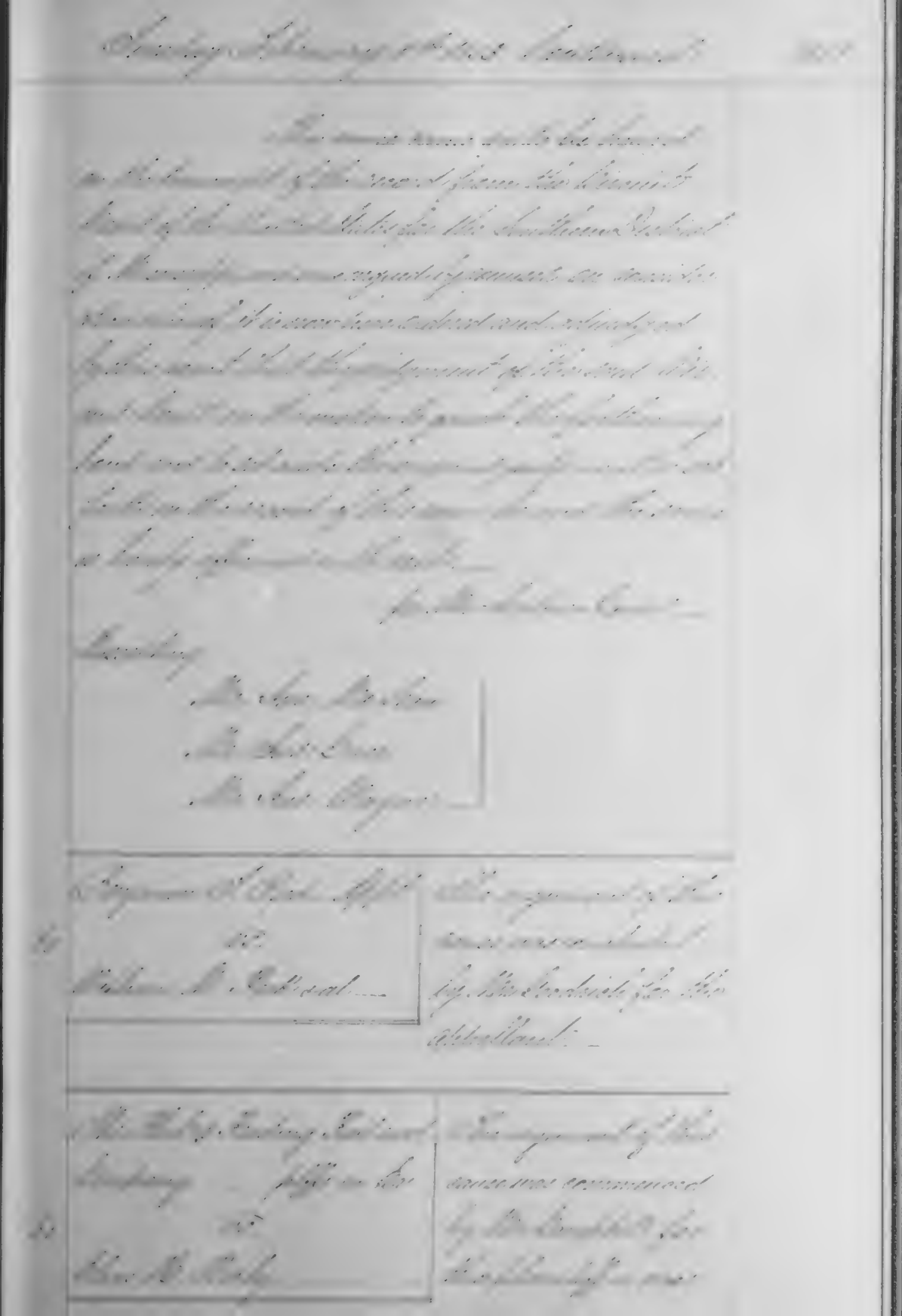
Present the Adjournment. The Court met this morning at the Usual hour.

Present

[illegible]

[illegible]

[illegible]



631

Elias H. Derby _____ Appellee

vs.

Phineas Wheeler _____ Appellant

631

[illegible] Court of Confirmation of Accounts and the same
was at the Court House.

Present

His Honour	Hon. Chief Justice	
	Hon. Mr. [illegible]	
	Hon. Thomas M. Wagner	
	Hon. Mr. Peters	Associate
	Hon. Mr. [illegible]	Judges
	Hon. Samuel McLean	
	Hon. Mr. [illegible]	
	Hon. [illegible]	

[illegible] Court [illegible]

[illegible] Court [illegible]

[illegible] Court [illegible]

[illegible] Court [illegible]

[illegible]

[illegible] United States

Thursday

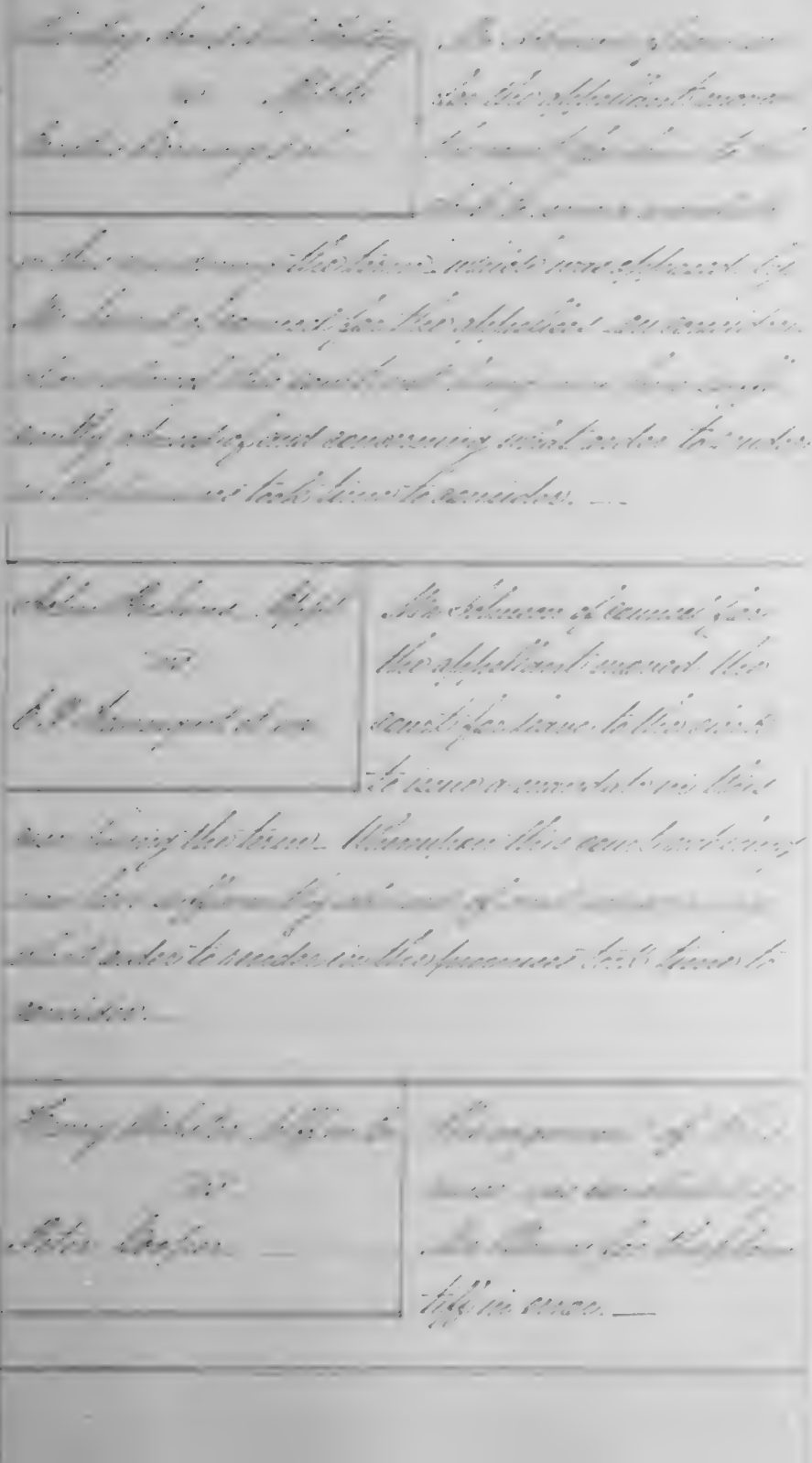
[illegible]

[illegible]	[illegible]	[illegible]
	John McLean	
	[illegible]	
	[illegible]	[illegible]
	John [illegible]	[illegible]
	Samuel Nelson	
	[illegible]	
	Benjamin [illegible]	

[illegible]

[illegible]

[illegible]



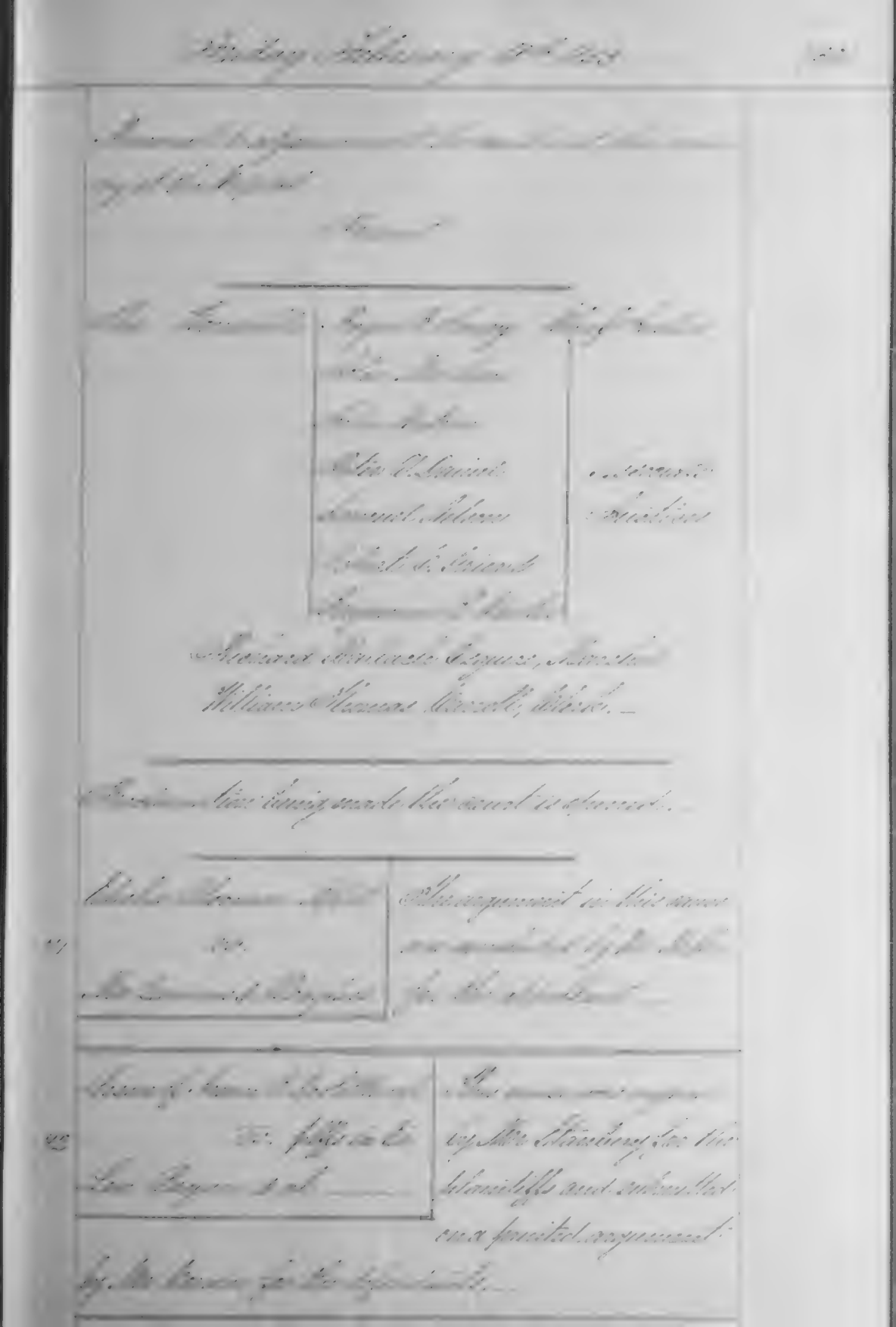
611

The Bishop of Oxford
and The Rev. Rural Dean
vs
The Rector of Ivinghoe

The cause coming on to be heard on the Bill and Answer and Replication and Evidence taken and Publication passed and Exhibits proved and Counsel for the Plaintiffs and Defendant respectively heard and the Court having taken time to consider its decree this day was pronounced in the presence of Counsel for both parties

It is ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the said Ecclesiastical Court of the Archbishop of Canterbury for the purpose of carrying this decree into effect.

The Bishop of Oxford
vs
The Rector of Ivinghoe



[illegible]

[illegible]

[illegible]

vs.

Elias H. Derby.

65

Thomas Shepherd and
Peter Durant, petitioners

vs.

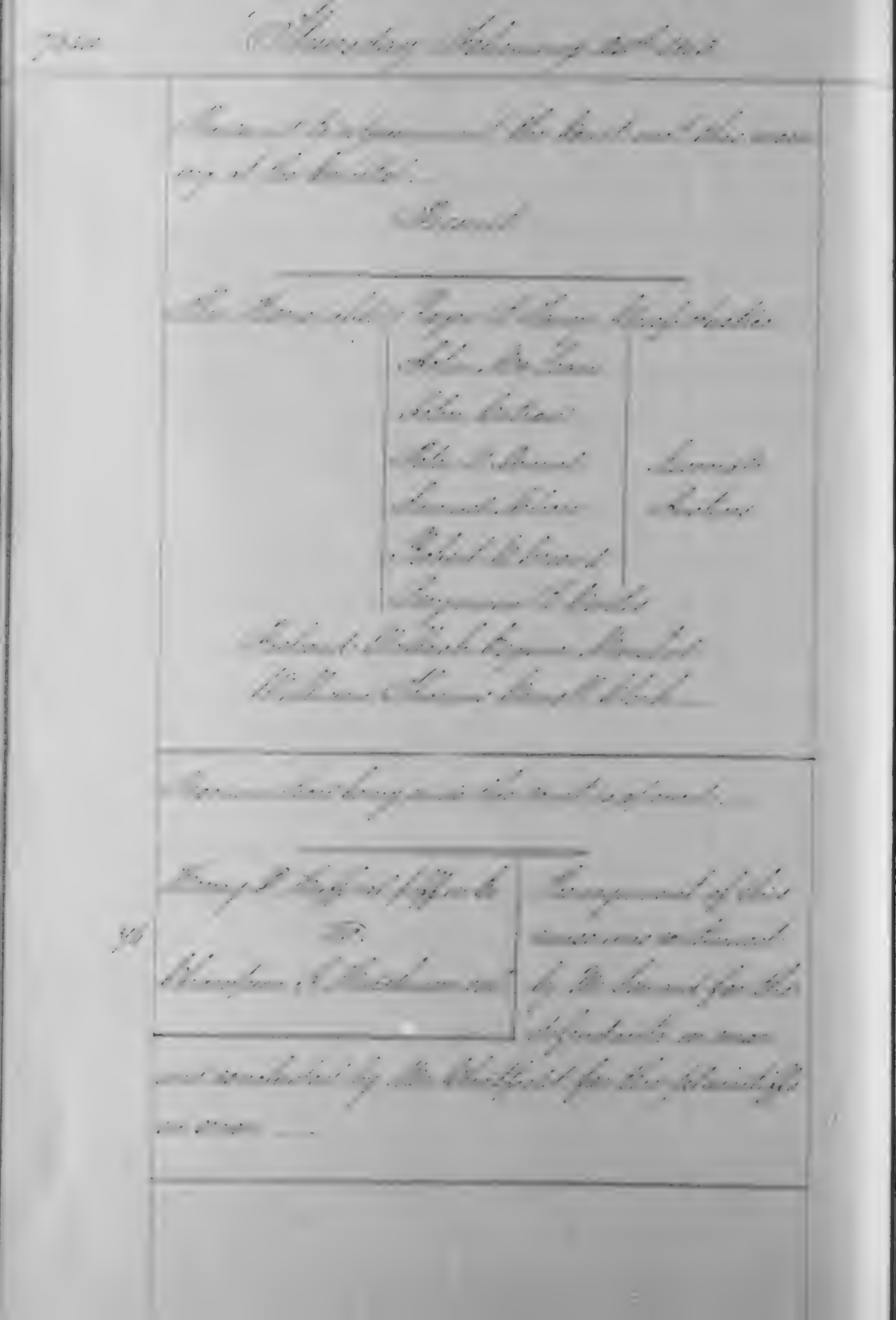
Peyton S. Graves.

66

Thomas Shepherd and
Peter Durant, petitioners

vs.

Peyton S. Graves.



Ejectment.

Seal

A.D. 1853.

[illegible] vs [illegible]

The remainder of the motion made on Friday last for a new trial in this cause was argued by Mr [illegible] for the Plaintiff and by Mr [illegible] for the Defendant and the same is duly overruled.

[illegible] vs [illegible]

The argument of this cause was continued by Messrs Stanley and Swayne for the Plaintiff

[illegible] vs [illegible] et al

Leave granted the Plaintiff to file a Bill of Review in this cause on payment of costs

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and was argued by counsel on consideration whereof

Monday January 1st [illegible]

And lastly - I do ordain and
and Will this my last Will and Testament
revoked & the said William Hudson
& Thomas Pearson the executors of
this my last Will & Testament.

In Witness whereof I
the said Testator
to this my last Will
& Testament.

VO

LUME

P

Saturday March 1st 1853

Robert Mc Lane	
Francis M. Thomas	
Robert Watkins	Absent
Peter W. Crozier	Sick
Samuel Sellers	
Robert Gilmore	

On motion first made to the court in this behalf by Mr Lawrence it is ordered that Isaac Pugsley Esquire be admitted to practice as an Attorney and Counsellor of this court and he was accordingly.—

On motion first made to the court in this behalf by A. G. & S. Hatfield Esquires it ordered that A. H. Purple Esquire of Illinois be admitted to practice as an Attorney and Counsellor of this court and he was accordingly.—

The Cases of Thomas B. Corbett Lessee &c
vs.
Geo. Eyman &al

On a certificate of division of opinion between the Judges of the Circuit Court of the United States for the District of Ohio.—

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Ohio and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this court for its opinion agreeably to the act of Congress in such case made and

Tuesday March 1st 1853 Continued

On transcript of the record from the District Court of the United States for the District of Massachusetts and on motion and argument of counsel thereupon it is ordered adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the libel with costs. —

per Mr Justice Nelson. —

Mr Justice Curtis having been of counsel did not sit in this cause. —

The United States Appts
vs.
Samuel A Crosby et al

The argument of this cause was resumed by Mr Evans for the Appellees.

The United States Appts
vs.
Samuel A Crosby et al

This cause was submitted to the consideration of the court on the record and printed argument by Mr Attorney General for the Appellants and by Mr Evans for the Appellees. —

This cause coming on to be heard and argued by this court that this cause be and the same is hereby dismissed with costs.

per Mr Chief Justice Taney.

The United States
vs. } Writ of Error to the Circuit Court of the United States for the Western District of Pennsylvania.
William Robinson &c

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and the Attorney General thereof having suggested to the court that there was no plaintiff in this cause, & no appearance on the part of the defendant, on motion ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr Chief Justice Taney.

83 The United States
vs. } Writ of Error to the Circuit Court of the United States for the Western District of Pennsylvania.
Truman Cheny

This cause came on to be heard on the transcript of the record from the Circuit Court

John Lacon Appt vs. Robert Wilson Byers	The argument of this cause was commenced by Mr Lacon for the appellant.

514 Matthew Cunningham ——— plff in Er

vs.

Mary W. M. Bibby, Executrix and sole legatee of Thos W. Bibby, dec'd, and Wilmot Bibby, James S. Bibby, (son James B. Freeman) and Mary W. Bibby, by Mary W. M. Bibby his guardian, heirs at law of said Webster Bibby, dec'd and Isaiah Cobb.

Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Supreme Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Supreme court for further proceedings to be had therein in conformity to the opinion of this court. —

per Mr Justice McLean

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John Mc Lean	
	James M. Wayne	
	John Catron	Associate
	John A. Campbell	Justices
	Samuel Nelson	
	Robt. C. Grier	
	Benjamin R. Curtis	

Richard Wallach Esqr. Marshal
William Thomas Carroll Clerk

Proclamation having been made the Court is opened

On motion of Mr. Westfield it is ordered that George M. Riggs & C. Dyer Esqrs. Counsellors at Law & Geo. A. Meehan Esq. Counsellor at Law & Notary Public of Maryland be admitted to practice in this Court and they were severally duly qualified.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]	[illegible]

[illegible]

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice

James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Levi Woodbury
Benjamin R. Curtis

Associate Justices

Richard Cross Esqr. Attorney
William Thomas Carroll Esqr. Clerk

Continuation of yesterday's proceedings.

On motion filed records in this court in this behalf by Mr. A. G. Caldwell it is ordered that Charles Conrad Esqr. be admitted Counsellor of this Court he having been admitted to practice as Counsellor and Attorney of the Supreme Court of the State of Louisiana accordingly.

On motion filed records in this court in this

[illegible]

1902 Tuesday, March 3rd 1903 Continued

On motion it is ordered by the court in this behalf by the County Attorney that Thomas Thomas Southall Esquire of Accomac county be admitted to practice as an Attorney and counsellor of this court and he was thereupon duly sworn.

Wm. A. Taylor, Jr. Plaintiff in Error vs. Edward Parker, Defendant in Error	Error to the Circuit Court of the United States for the District of Virginia holden in and for the County of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Virginia holden in and for the County of Washington and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

for the whole Court.

Tuesday, March 3d 1835 Continued

Order of Court.

This cause came to be heard by the District Court of the United States for the Southern District of Iowa.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Iowa and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby reversed and annulled, and that this

The United States, Appt

vs.

Edward Bowen et al.

Appeal from the District Court of the United States for the Southern District of Iowa.

[illegible] and the same is hereby commanded to discharge
Patrick Quat with costs to be taxed in favor of
the Plaintiff.—

per Mr. Chief Justice Taney.—

[illegible]

vs.

[illegible]

This cause came on to be
heard on the transcript of the record from the
[illegible] and was argued by counsel.
On consideration whereof, it is now here ordered and adjudged by this Court
that the decree in this cause be and the same is hereby reversed
and this cause is remanded to the said Circuit Court with directions to dismiss the
petition of the Plaintiff.

per Mr. Chief Justice Taney.—

[illegible]

No.

vs.

[illegible]

This cause came on to be
heard on the transcript of the record from the
[illegible] and was argued by counsel.
On consideration whereof, it is now here ordered and adjudged by this Court
that the decree in this cause be and the same is hereby reversed
and this cause is remanded to the said Circuit Court with directions to dismiss the
petition of the Plaintiff.

per Mr. Chief Justice Taney.—

Tuesday, March 3rd 1863 Continued

is hereby continued to the next term of this court.

Washington C. Connell
vs
Joshua Ward Motte

Appeal from the Circuit Court
of the United States for the
District of South Carolina.

And thereupon it is ordered for the ap-
pellee having filed and read an opinion of the fol-
lowing certificate, to wit,

Circuit Court of the United States
South Carolina District.

I, Henry A. Gourdin Clerk of the said Circuit Court of
the United States for the South Carolina District,
do hereby certify that at a Special Session of the said
Court held at Charleston in said District on October
A.D. 1861, in a certain cause in Equity in the said
Circuit Court, wherein Joshua W. Motte was complai-
nant, and Washington C. Connell was defendant,
a final decree was made in favor of the complainant
the said Joshua Ward Motte, from which said decree
entered on the 31st day of October A.D. 1861, the said
defendant Washington C. Connell at said Term
(to wit October 1861) prayed an appeal to the Supreme
Court of the United States which appeal was duly
allowed on said terms with the usual security
for costs which said appeal bond was on the same

and faithful Friend.

H. G. Gray.

Capt. Lieut. 1st. Lo. Cd."

77	David C. Kinnear vs Jeffries & Others	Mr C. Robinson moved for the appellee moved the court for leave to argue the cause. Whereupon this court not being now sufficiently advised of and concerning what order to make in the premises took time to consider. —
78	David C. Kinnear vs Jeffries & Others	Mr C. Robinson moved for the appellee moved the court for leave to argue the cause. Whereupon this court not being now sufficiently advised of and concerning what order to make in the premises took time to consider. —
79	John Rowe Appt vs Robert Mercer Exr the appellants.	The argument of this cause was continued by Mr Robinson for the appellees and concluded by Mr Howard for
80	William & Walter Appts vs Margaret Robbins et al	The argument of this cause was commenced by Mr Kinnear for the appellants

Friday March 14th 1823

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Hon. [illegible]	[illegible] Esq	Chief Justice
	John McKinney	
	James M. Wayne	
	John Catron	Associate
	Peter N. Daniel	Justices
	[illegible]	
	Robert McLemore	
	[illegible]	

[illegible] Attorney Genl

William Thomas Carroll, Clerk.

Proclamation being made the court is opened

[illegible] Esq. Attorney for the [illegible]

vs.

[illegible]

In consideration of the motion made in this cause yesterday it is ordered by the court that [illegible] motion be and the same is hereby overruled.

Monday March 7th 1853

Present

The Hon. Roger B. Taney	Chief Justice
John M. Clayton	
James M. Wayne	
John Catron	Associate
Peter V. Daniel	Justices
Robert C. Grier &	
Benjamin R. Curtis	

Edward Whitfield Esqr. Marshal
William Thomas Carroll, Clerk

Proclamation being made the court is opened.

On motion ordered by the court that Edward Whitfield Esqr. of Pennsylvania Thomas Bell Esqr. of Ohio & A. Bradley Esqr. of the State of New Jersey be admitted to practice as Attorneys and Counsellors of this court and they were severally duly accordingly.

[illegible]

[illegible]

[illegible]

were fairly drawn to by the grand issue, plead-
ed to the other counts. —

per Mr Justice Curtis. —

Wm. Penn. Appt
vs.
Charles Wise & Robert H.
& the Exrs of Robert Wise dec'd

Appeal from the Circuit
Court of the United
States for the District
of Maryland. —

This cause came on to be
heard on the transcript of the record from the Cir-
cuit Court of the United States for the District of
Maryland and was argued by counsel. On consider-
ation whereof, it is now here ordered, adjudged and
decreed by this court that the decree of the said
Circuit Court in this cause be and the same is
hereby affirmed with costs. —

per Mr Justice Wise. —

Samuel Regester Lee Comp
vs. Bills in Eq
Wyman & al. Exrs. —

Error to the Supreme
Judicial Court of the
State of Maine. —

This cause came on to be heard
on the transcript of the record from the Supreme
Judicial Court of the State of Maine and was
argued by counsel. On consideration whereof, it

per Mr Justice Gwynne.

per Mr Justice Strong.

per Mr Justice Henry.

per Mr Justice Patterson.

Thomas Hawksworth et al
vs.
Caleb Taylor et al.

Appeal from the Circuit Court of the United States for the District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Ohio and was argued by counsel. On consideration whereof, it was ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice McLean.

United States Appt.

vs.

John W. McElwee, Elias P. McElwee and Samuel Hughes, partners under the firm of McElwees & Hughes

Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree

vs.

George W. Sugg et al.

Washington's Counsel
vs
Elliot
Jackson Ward Motion

On the motion of the Counsel of Counsel for the plaintiff and with the consent of the Counsel for the defendant it is ordered by the Court that the cause heretofore and hereinafter this day entered on the docket of this Court stand, to wit, on Tuesday the third instant, be and the same is hereby rescinded and annulled, and that the said plaintiff have leave and the same is hereby granted him to file his record and docket the cause upon the payment by him of the costs.—

Proclamation being made the Court is adjourned to the 1st Monday in April next.—

December Term 1863

At the Capitol of the United States in the City of Washington and District of Columbia being the seventh seat of the National Government of the United States on the first Monday of December (being the fifth day of the same Month) in the year of our Lord one thousand eight hundred and sixty three, and of the Independence of the United States, the ninety eighth. The Supreme Court of the United States met pursuant to law.—

Present

The Hon. Roger B. Taney	Chief Justice
Hon. Mr. Wayne	
Hon. M. Nelson	
Hon. Robert Grier	Associate
Hon. Samuel Nelson	Justices
Hon. Robt. H. Clifford	
Hon. Benjamin R. Curtis	
Hon. J. Campbell	

Hon. E. Hon. Edmund Burke
William Thomas Carroll Clerk.

Proclamation having been made the Court is opened.

On motion Ordered to the Court in this behalf by Mr Sewall Johnson it is ordered that Caleb Cushing Esquire of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The Honorable Caleb Cushing appeared and produced the following Letters Patent, which were read in open Court and ordered by the Court to be recorded on the minutes of this Court, in the following words, to wit:—

Franklin Pierce

President of the United States of America.

To all who shall see these presents Greeting:

Know ye; That, reposing special trust and confidence in the patriotism, integrity and abilities of Caleb Cushing of Massachusetts, I have nominated, and by and with the advice and consent of the Senate, do appoint him to be Attorney General for the United States, and do authorize and empower him to execute and fulfil the duties of that office according to law and to have and to hold the said office

Monday December 4th 1865 Continued

with all the powers, privileges and emoluments to the same of right appertaining unto him the said Salt Lake City during the pleasure of the President of the United States for the time being.

In Testimony whereof, I have caused these Letters to be made Patent and the seal of the United States to be hereunto affixed. Done at the City of Washington, the seventh day of March, in the year of our Lord one thousand eight hundred and fifty three, and of the Independence of the United States of America the seventy seventh.

By the President Hamilton Fish
W. L. Marcy Secretary of State.

Sarah D. Graves, Esquire, of the District of Columbia appeared and produced the following Letter Patent, which were read in Open Court and ordered by the Court to be recorded in the minutes of the Court, in the

following words, to wit:—

Franklin Pierce

President of the United States of America

To all who shall see these presents, Greeting:

Know ye, That, reposing special trust and confidence in the integrity, ability, and diligence of Isaac D. Hoover, I do appoint him to be Marshal of the United States for the District of Columbia, and do authorize and empower him to execute and fulfil the duties of that office according to law; and to have and to hold the said office, with all the powers, privileges and emoluments thereunto legally appertaining, unto him, the said Isaac D. Hoover during the pleasure of the United States for the time being, and until the end of the next session of the Senate of the United States and no longer.

In Testimony Whereof, I have caused these letters to be made Patent and the Seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington the thirtieth day of may in the

Monday December 5th A.D. Eighteen

year of our Lord one thousand
eight hundred and fifty three and
of the Independence of the United
States of America the seventy seventh.
By the Court. Newton Pinkney
Clk. Assy. Secretary of State.

The United States. Plff	St. Attorney Gen-
in Error	eral Binney
vs.	having argued
John Mc Dougle Defdt	to the Court
in Error	that the record
The United States Plff	presented the
in Error	same questions
vs.	as those involved
John Mc Dougle Recd	in No 91 I. L.
The United States Plff	argued the Court
in Error	that they be argued
vs.	in connection therewith.
John Mc Dougle Cert	Whereupon it is ordered
The United States Plff	by the Court
in Error	that No 91 U.S. argued
vs.	be argued in connec-
John Mc Dougle Error.	tion with No 1 and 2. —
The United States Plff	
in Error	
vs.	
John Mc Dougle Error.	

Parliament prorogued the Court adjourned until to morrow morning at seven o'clock.

Tuesday December 6th 1853.

Samuel Pelan

Patrick O. Brien

Know ye, That reposing great trust and confidence in the Wisdom, Uprightness and Learning of John Crittenden of Kentucky, I have nominated, and, by and with the advice and consent of the Senate do appoint him to be one of the Associate Justices of the Supreme Court of the United States; and do authorize and empower him to execute and fulfil the duties of that office according to the Constitution and laws of the said United States and to have and to hold the said office with all the powers, privileges and emoluments to the same of right appertaining unto him the said John A. Crittenden during the good behaviour.

(Seal)

In Testimony Whereof, I have caused these Letters to be made Patent and the Seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington, the twenty second day of March in the year of our Lord one thousand eight hundred and fifty three, and of the Independence of the United States

Friday January 8th 1819 Adjourned

[illegible]

By the President

William [illegible]

[illegible] Ordered that Williams
Rankin and Ogden Esqrs of Lancaster
and Mr Whitehill of Northampton
and Members of the Convention
meet Tuesday Evening next —

[illegible] Ordered that the Secretary
[illegible] Ordered that [illegible]
[illegible] Esqrs of Lancaster
[illegible]

The United States v. Appts John McLaughs Exrs	This cause was argued by the Attorney General & Counsel for the appellants
The United States 8 v. Appts John McLaughs Exrs	This cause was argued by Mr Attorney General Cushing & Counsel for the appellants
The United States 10 v. Appts John McLaughs Exrs.	This cause was argued by Mr Attorney General Cushing & Counsel for the appellants
The United States 11 v. Appts John McLaughs Exrs	This cause was argued by Mr Attorney General Cushing & Counsel for the appellants
John McLaughs Exrs 2 v. Appts The United States and The United States 3 v. Appts John McLaughs Exrs	This cause was argued by Mr Attorney General Cushing & Counsel for the United States and submitted on a printed argument by Mr Randolph in behalf Mr McLaughs Executors
The United States Appts	Mr Johnson moved the Court

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honble	Roger B. Taney, Chief Justice
	John McLean
	Joseph Story
	John Baldwin
	Smith Thompson
	Robert Trimble
	Benjamin R. Curtis &
	Jabez A. Campbell.

Isaac D. Hoover Esqr. Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General leading it is ordered that John Tibbins Esqr of Louisiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Serjeant Johnson it is ordered

[illegible]

[illegible]

[illegible]

The United States of &c
vs
Thomas H. Pattison.
and
The United States of &c
vs
Samuel Swartwout Jun.

The argument of this cause was commenced by Mr Attorney General and closed of counsel for the appellants and continued by Mr Baldwin of Counsel for the appellees.

The United States of &c
vs
Aaron M. Hughes, Robert Swartwout and Peyton Randolph a minor by his Guar. Aaron M. Hughes

In the case of the United States vs Saml M. Hughes and others decided in this Court at December Ter. 1818 it is ordered with the consent of the Attorney General of the United States, and the counsel for the appellees that the case be reinstated on the docket of this Term, and the judgment heretofore entered on the demurrer be stricken out: and that the case be remanded to the Circuit Court with directions to that Court to permit the appellees who was the respondent to withdraw his demurrer to the Bill, and put in an answer thereto: and thereupon, upon issue being joined between the parties, to proceed in the case according to the rules and practice of

The above and foregoing Petition and Exhibits are submitted for Action Thereon and Request the same be Filed. Entered on the Court Docket.

Jos. M. Dk. Jud. Dist. Ct.

The United States of America

To

Pittsburg & Atlantic Railroad Company Defendant Greeting

You are hereby Commanded to be and appear before the Judge of the District Court of the United States for the District of Kansky at the Court House in said District on the first Monday in March A.D. 1880 then and there to answer unto a Petition filed against you in said Court by the Pittsburg Branch Railroad Company a Corporation duly incorporated under the laws of the State of Kansky and the United States of America and to abide by and perform such order and decree as may be rendered in the premises.

Witness Hon. Wm. Dk. Judge of said Court and the Seal thereof at Kansky in said District this 1st day of January A.D. 1880.

Attest

Jos. M. Dk. Clerk.

Pursuant to adjournment the Court met this morning at the Hospital.

Present.

The Honorable	Roger B. Taney	Chief Justice.
	John Mc Lean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C. Grier.	
	Benj.n R. Curtis jr.	
	John A. Campbell.	

Joseph P. Heaun. Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion. first made to the Court in this behalf by Majr. B. S. Brooke. It is ordered that Hugh A. Garland Esquire of Mississippi be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

William A Seeley, Claimant
of the Brig Mary Pierce
&c. &c.

vs Appeal
George Law, Jun Deft. &c. &c

On a certificate of
Division in opinion
between the Judges
of the Court Court
of the United States
for the Southern Dis-
trict of New York.

This cause came on to be heard on the
transcript of the Record of the decree
from the Circuit Court of the United States
for the Southern District of New York
and on the briefs and pleadings and
which the Judges of the said Circuit
Court were opposed in opinion and which
was certified to this Court in pursuance
of the Act of Congress in such
case made and provided, and it being
suggested to the Court by Counsel on the
said: that the matter in controversy between
the parties, had been settled by agreement
between them, and that a decree had been
entered in the Court Court pursuant to the
agreement of the parties and that the
said Record should be remanded to the Circuit Court, to be there
dismissed by the Court accordingly. It is decree

1869 Tuesday December 28th continued

The United States Appts vs Isaac N Ellerson and The United States Appts vs Samuel Pomeroy Exec	The argument of these causes was continued by Wm Johnson for the Appellees and concluded by Attorney General Hoar for the Appellants
The United States Appts vs Samuel Pomeroy Exec	The Counsel having filed a motion of intervention in the cause mentioned the argument on subject of the same which Mr Johnson and Attorney General opened.
The United States Appts vs Isaac N Patterson Exec	The argument of this cause was commenced by the Attorney General closing for the appellants

Declaration being made the Court is adjourned until to morrow morning at eleven O'Clock.

The Court	Roger B. Taney	Chief Justice.
	Saml. McLean	
	Jos. Story	
	John Catron	Associate
	John McKinley	Justices
	Peter V. Daniel	
	Smith Thompson	
	Henry Baldwin	
	James M. Wayne	
	[illegible]	

subject matter. Hence, in the impossibility that before me, or removed from the scenes of the hour, and from that path of honor which, through a long lifetime of public and private duty, he trod so widely read, the first President of the United States, whom the voice of future history must set on the heads of the Presidents, the Peace of the Union, shall find of the laws, the legislators, the statesmen and the magistrates of our country, will be events too remote from that present call of immediate interpretation of the voice of Washington.

Questions from time to time arise of more or less moment as to whether through the chords of the little field or by new gifts of written or spoken thought to mark, or mark the forward movement of national. Such men if they have a substantively splendid career, yet have an uprooted one. They create events, and they partake of the revolutions of events. They may, they often do, have shaded off the mental formation, without which the bright ones would be too dazzlingly brilliant to be. They come to be praised or depreciated alternately,

according to the light in which they are viewed, and the place of the trial of the case. If [illegible] of fact of this, you do not find any [illegible] and publish words concerning plaintiff, the truth of them will be a complete defense, and the plaintiff cannot recover. If, however, it is untrue, [illegible] that it is not, then [illegible]

[illegible]

[illegible]

[

and scientific education to handle one of the liberal arts.— He had grown to be next of his manly but of unpretentious mien, the highest honors, to all sentiment worthy of an upright, pure, settled, high minded, humble man can claim. He was in my judgment, what earth like the testimony God in his character and work, and which does to form the character and the confidence of his countrymen. His death at this time is a fitting monument of devoted loyalty, rather than as a mere martyr man of the age. Like that gallant soldier, who raised the Union flag on the ramparts of Sumter, and fell, struck by a ruffian ball in the act of grasping the insignia of his command, as the Fort Sumter flag fell, and the fragments of his greatness to die. Such a death, so timed, taught lessons for us which he left behind to the trials and cares of public duty, and not premature for the sentiments and testimony of his character. Among those deeply his loss must be deplored by your Nation, as a devoted, patient man to mourn that this heart, in unison with what had been done by the true hearted of our

Monday December 19th 1853.

Present to represent the Court at the opening of the Capitol.

Present.

R. Townsend	Roger B. Taney	Chief Justice
	Peter V. Daniel	Associate
	Samuel Nelson	Justices.
	Robert C. Grier	
	Benjn R. Curtis	
	John A. Campbell	

Samuel F. Phillips Esquire Marshall
William Thomas Carroll Clerk.

Information being made the Court is opened.

On motion just made to the Court in this behalf by Mr Crosby Johnson, it is ordered that Joel J. Woodward and Charles Lincoln Esquires of New York, and Thomas Hyland Esquire of Maryland be admitted to practice as Attorneys and Counsellors of this Court and they were severally duly accordingly.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

William Robertson Cutter & — Effie M. Cutter & Joseph Nelson Cain	The Summons & Record for the defendants on com having filed a motion to dismiss this case, for the want of jurisdiction moved the Court to fix next Friday for the argument thereof on consideration whereof, it is now here ordered by the Court that the said motion be and the same is hereby set down for argument on next Friday the 16th instant.

Carstens Brewing Ass'n Appellants — The Bay Area Nat'l Brewery	The Hereby Johnson of counsel for the appellee having filed a motion in writing to dismiss this case, moved the Court that the said motion be set down for the present. In consideration whereof it is now here ordered by the Court that the said motion be and the same is hereby set down for the present.

The United States Appellants — Daniel W. Coward et al.	W. Thomas the death of the defendant was suggested at the last term and his

order of publication.

On consideration whereof, it is
hereby ordered, by the Court that the
heirs representatives of the said Daniel
W. Lowe, deceased shall unless on
or before the first Tuesday of
the next ensuing Term of this Court
be entitled to spread the record on
said Term of the decree of the Court
record of the payment of the
costs of the said suit by the said
Daniel W. Lowe, deceased, and also
the proof of the publication of this order
be spread upon the record of this Court
shall be granted by authority, and also the
proof of publication published in the State of
Alabama, spread upon the minutes of
said Court, and upon the payment of
the costs of the aforesaid Court and
ordering.

Samuel Smith et al
vs
Appeals
Thomas J. Chambers.

And on the 3rd day of the term for the appellants having filed and read in open court the following motion in writing, viz:

The Counsel for the appellant and the undersigned respectfully ask the judgment of this Court, at its last term in the case of Knight et al vs Chambers et al, to submit the facts and cross motion for further argument, to the ruling in this case, and to have judgment accordingly. We deem it unnecessary to offer any argument upon the motion, as the case will be fully argued on the argument of the case on the merits.

W. H. Smethers
for Appellants

and the Court having maturely considered the same, are of opinion that the motion ought not to be granted. It is therefore ordered by the Court that a judgment be entered affirming the decree of the Court of Chancery in this case with costs to the appellees.

Charles Dorsey et al
vs
Appeals
Eliza Ann Stocks et al

And on the 3rd day of the term the appellants in this cause having filed a motion in writing in this cause, and the same having been argued by counsel, it is ordered by the Court this 12th day of December 1853, that the motion be and the same is hereby overruled.

[illegible] Court [illegible]
[illegible] by the [illegible] of the Court
in Case— On consideration whereof it is
ordered by the Court that the
said [illegible] and the [illegible]
[illegible] do pay the [illegible]
[illegible] the argument be now heard— The
Court instant—

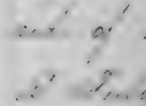
[illegible] Court [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]

[illegible]

And now came Judgment having been entered for the Plaintiff in this cause and said the Defendant thereupon prayed an appeal which was granted and the order on said application is in these words

"And the Defendant by his Attorney prayed an appeal from the judgment rendered in this cause to the Supreme Court of the United States which is allowed on the Defendant's giving and filing with the Clerk of this Court within sixty days from this date a bond in the penalty of one thousand dollars, payable to the Plaintiff for the use of Eve Brown with sufficient Security as required by law."

And it is hereby certified that a bond as required was executed by the Defendant with John Reed as his security on the 9th day of July A.D. 53 and that a transcript of the record of this cause was made out & delivered to A. Judy Esquire of Counsel for the said Defendant



In Testimony of all which I Charles Dickey Clerk of the said District Court have hereunto set my Hand and affixed the seal of the said Court at Charleston this eighth day of December in the year 1853 and

in the 78th year of the Independence of the
United States

[illegible] ordered the Court to docket and dismiss this writ
of error with the [illegible] of
[illegible] and costs of the Plaintiff in error
and motion of Mr Chief Justice Taney
[illegible]

Pr Mr Chief Justice Taney?

The United States, appellants vs A. B Lamborn & Lewis	The argument of this cause was concluded by Mr Attorney General Reading of Counsel for the appellants.

The United States, appellants vs A. B Lamborn & Lewis	The same was argued by Mr Stanton for the appellants.

Monday, December 12th 1853. Continued.

[illegible] Court [illegible]

vs

[illegible]

The argument of the cause was commenced by Mr Badger of Counsel for the appellants and continued by Mr Bayard for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday December 13th 1853.

[illegible]

Present

[illegible]	Hon. D. Lacey.	[illegible]
	John McLean	
	James M. Mayo	
	[illegible]	
	[illegible]	
	[illegible]	
	[illegible]	
	[illegible]	
	[illegible]	
	[illegible]	

[illegible] Lincoln
instead.

[illegible]

William Thomas Carroll Clerk.

Proclamation being made the Court opened

An motion first made to the Court on
the petition by Mr. Hall of a writ of
Mandamus directed to the Justices
of the County Court of Putnam
to be issued to procure a re-
hearing and determination of the
Court and the said Issue accordingly.

On motion first made to the Court in this behalf by Mr Evans it is ordered that Nathaniel C. Hatch Esquire of the District of Columbia be admitted to practice as an Attorney and Counsellor of this Court and he was accordingly

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Christian Keller, Trial
vs. Grassman, Wm E. Lee
and Jas. Evans & Pleasants, Esq's of Counsel
for plaintiff in Error
Reverdy Johnson and
Wm. M. Evely, Esqrs of
Counsel for Defendant
in Error

In the Supreme Court of the United States of the Circuit Court for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by counsel On consideration whereof, it is now here ordered and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Per Curiam.

Wm. Kenton, Jno. E. Lemmon,
Wm. E. Lewridge, Francois L. D'Autun,
Jno. L. Hammond, John Adam Smith
Jno. Ellis, Wm. Richmond Jno.
Jno. H. Ellis, Wm. Mumford Jno.

vs

The United States.

An appeal from the District Court of the United States for the Eastern District of Louisiana

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This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by Counsel. On consideration whereof it is ordered and decreed by this Court that the decree of the said District Court in this cause herein be and the same is hereby affirmed.

per Mr Clerk Jas Taney

Supreme Court of the United States. October Term 1868 continued

The United States.

vs.

Christian Roselius, Edmund A. Bradford & Christian Roselius Jr. Executors, Samuel A. Linton, Benjn. F. Flanders, John Slidell, John Slidell Jr. Executors of Mayer, John Gibson and R. R. Hurly Executors of John McDonoughs, dec'd.

Appeal from the District Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by Counsel. On consideration whereof it is now here ordered and decreed by this court that the decree of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said District Court with directions to that court to enter a decree for the United States.

And it is further ordered

The United States

Appeals

from the District Court of the United States for the Eastern District of Louisiana

On the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by Counsel On

Tuesday January 28th 1851 Continued

The United States Appeals

vs

Thomas Perkins Heir & Executor of Thos Loraine Mc Clung, Edmund Perkins, Benj. H. Brand, John Dick Smith, Henry Hayes, John Gibson & E. Conby, Exec of Alex. McClung dec'd

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by counsel.

On consideration whereof it is now here ordered and decreed by this court that the decree of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said District Court with directions to that Court to enter a decree for the United States

Mr Justice Grier

In the Supreme Court of the United States

October Term 1870

No.

The Supervisors of Richmond County, Staten Island & Abm. Hillyard & Lewis Hayes.

In Error to the Supreme Court of the State of New York

This cause came on to be heard on the transcript of the record of the Supreme Court of the State of New York and was argued by the Attorney for the Defendant in Error and submitted by the Counsel for the Plaintiffs in Error, on the motion of the Defendant in Error, it is ordered and adjudged by this Court that this writ of Error be and the same is hereby dismissed with Costs.

per Mr. Ch. Jud. Chase.

The State of New York

ss. Supreme Court

In Richmond County Special Term

Fairchild Stuyvesant

vs.

Abm. Hillyard & Lewis Hayes

In pursuance of the order of this Court, we the undersigned

Tuesday December 13th A.D. Continued

of December A.D. &c. and the Counsel for the defendants being in attendance and ready to be heard thereon and the counsel for the complainant not appearing it is ordered that the motion be dismissed for want of prosecution.

Elizabeth Potter Exrx.		The argument
13.	vs.	of this cause
	Appeal	was continued by
Samuel Potter et al.		Mr Graham for

the appellees and concluded by Mr Ridgely for the appellants.—

Order of Court.

Then having been an Vacate Justice of this Court appointed since the last session it is ordered that the following statement be made of the Chief Justice and Associate Justices of said Court among the Circuits agreeably to the act of Congress in such case made and provided— and that such statement be entered of record, viz—

[illegible]

[illegible]

[illegible]

Wednesday December 10th 1823.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
	Gabriel M. Leary	
	Joseph M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	James Wilson	
	Robert C. Weems	
	Benjamin R. Curtis &	
	John A. Campbell	

David D. Hoare Esquire Marshall
William Thomas Smith Attend.

Proclamation being made the Court is opened.

Ann Swann et al		The argument of this
vs.	Appeal from	cause was commenced
Gaston & Hunt		by Mr Gaston of
		Counsel for the appellants

continued by Mr Lawrence for the appellees and concluded by Mr Gaston for the appellants.

[illegible]	[illegible]

[illegible] and [illegible] the Court [illegible] the hearing of their counsel for and against - On consideration whereof it is ordered by the Court that [illegible] and the same is hereby [illegible]

[illegible]	[illegible]

[illegible] and [illegible] the Court to [illegible] the hearing of their counsel for and against - On consideration whereof it is now here ordered by the Court that said motion be and the same is hereby overruled.

Wednesday December 16th 1840 continued

The United States Appts

vs

Roy & Narcomac wife & Kirby Delaroney, wife & Ann Mc Dermitt & Martin & administrators of John Narcomac, dec'd

Appeal from the District Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana, and on the motion of Mr Attorney General for the appellants it is ordered and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the said District Court with directions to that Court to enter a decree for the United States for the full sum of Twenty [illegible]

Peter Narcomac wife &c Appts

vs

The United States.

This cause was argued by Mr Attorney General for the

Record for the defendant in one indictment
in a further argument for Mr Burton on behalf
of the plaintiff in error —

Proclamation being made the Court is ad-
journed until to-morrow morning at eleven
O'Clock.

Thursday December 15th 1853.

Court to adjourn until the next Court in the morning at the Capitol.

Present:

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis	
	John A. Campbell	

Lemuel P. Mason Esquire Marshal.
William Thomas Barnett Clerk.

Examination being made the Court is adjourned.

On motion first made to the Court in that behalf by Mr Cutler it is ordered that Samuel P. Mason Esquire of South Carolina be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion filed made to the Court in
behalf of the Defendant to dismiss the
action for the reason that the Court has
not jurisdiction of the subject matter of
this action and for the reason that the
complaint does not state facts sufficient
to constitute a cause of action

On motion filed made to the Court in behalf of the Defendant to dismiss the action for the reason that the Court has not jurisdiction of the subject matter of this action and for the reason that the complaint does not state facts sufficient to constitute a cause of action

---

Filed Clerks Office	This cause was argued by Mr Jennings Counsel for the Defendant
Clerk	

on this and submitted to the consideration of the Court on a printed argument by Mr Ewing in behalf of the Plaintiff in error

The Justice delivered the opinion of the Court having been
of Counsel for the Plaintiff

Edward Sylvester Appellant
vs
Joseph Baker Respt.

The argument of this cause was commenced by Mr Woodward of Counsel for the Appellant and continued by Mr Burdett of Counsel for the Appellees

The Question being made the Court is adjourned until to morrow morning at eleven Oclock.

Friday December 16th. 1853. 7440

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Chief Justice	
Mr. Justice Wayne	
Mr. Justice Catron	
Mr. Justice McKinley	Absent
Mr. Justice Daniel	Absent
Mr. Justice Nelson	Sustained.
Mr. Justice Grier	
Benjn R. Curtis Esq	
John A. Campbell	

Josiah D. Hoover Esquire Marshall

Clerk Present.

Ordered that the Court do now take a recess

until the hour of 12 o'clock this day.

The motion filed on the 15th inst. for the

writ of mandamus in the case of

Ex parte Wm. Ryan et al

was argued by Mr. Attorney General

and Mr. Bradley for the motion and Mr. Reed

Contra and submitted.

The State of Florida
ex rel
Ex. State of Georgia

Mr Johnson of Counsel for the Complainant moved the Court to postpone the hearing of this cause until next Tuesday week, and to which Mr Badger of Counsel for the Defendant assented. Whereupon Court cannot not being now sufficiently advised of and reserving what order to make in the premises took time to consider.—

Lamb, Elam & Co. of
Thomas Lamb et al
vs
Wells
Lamb & Lamb by Lamb et
al. Bill for Injunction.

Mr Emerson of Counsel for the Complainants moved the Court for a writ of Injunction to the Circuit Court of the United States for the District of Columbia to stay execution of the decree of said Court in this cause. Which was objected by Mr Nat of Counsel Lloyd & Rogers Solicitors of C. & B. Lamb et al for Defts. Whereupon this Court being now sufficiently advised of and reserving what order to make in the premises took time to consider.—

Ben sufficiently versed of and concerning what order to make in the premises took time to consider

Charles Davenport et al 112. vs Plff in Er F Fletcher et al	Mr Ferris of Counsel for the defendants in error moved the Court to dismiss the writ of error for the reasons set forth in his several written motions filed in the cause which were debated by Mr Ferris on behalf of the defendants in error Whereupon the Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider
Fanny Pinkham Plff in Er vs Peter Delaney	Messrs Pushing Miller and Smith of Counsel for the defendant in error moved the Court for leave for their Counsel to argue their case for the defendant in error for reasons set forth in their written motion filed this date Whereupon the Court not being now sufficiently advised of and concerning what order to make

[illegible]

In the [illegible] Court

[illegible]

[illegible]

for the appellant.

Wm L Ragan Appellee

vs

Ida B Ragan

The undersigned has called for argument and no counsel appearing to defend with the same it is therefore ordered by the court that the order be set aside and held for naught

---

Ida B. Ragan

vs

Wm L Ragan

The undersigned has called for argument and no counsel appearing to defend with the same it is therefore ordered by the court that the order be set aside and held for naught

Friday December 4th 1835 continued

Court vs Circuit Officers &c vs William P. & Ramsey et al	The argument of this cause was commenced by Mr Henry W Davis for the plaintiffs in error, continued by Mr J Bullitt Esq for the defendants in error and concluded by Mr Davis for the plaintiffs in error.

Chas Mahon &c Officers &c vs Edward H. Harrison	The indisposition of Mr W Selden of Counsel for the plaintiffs in error having been suggested, it is now here ordered by the Court that this cause be and the same is hereby postponed for the present.

Peters Relation &c &c vs Officers &c Jesse Hart	On the motion of Mr Wythe of Counsel for the plaintiff in error, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket.

Thomas Kennedy vs John Mc Clinton	The cause coming on to be heard upon the argument and on motion of Mr Mc Clinton by his counsel it is ordered that the answer of the defendant be and the same is hereby sustained with the costs of the proceedings and that the complainant pay to the defendant the costs of this motion

Thomas Bullitt et al vs Chas. Thomas et al	This cause was submitted to the Chancellor on the record and printed arguments of the Counsel of Complainant and Defendant

Continuation having made the Court adjourned until Monday morning 10 o'clock A.M.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Marshal	Roger B. Taney	Chief Justice
	John McLean	
	Henry M. Brown	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Clerk & Reporter. Esqrs Marshall
William Thomas Circuit Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr Platt it is ordered that Hilla Porter Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and that he have accordingly.—

Form No. [illegible]	Mr Barnick of Counsel for the Plaintiff in Error
vs	
[illegible]	

received the Bond for the return of the writ under the Statute to operate the said Writ of Error and Supersedeas and Bail Bond having fully executed and approved which is ordered to be filed in the Supreme Court of the State

[illegible]	In the matter of the Writ of Error
vs	
[illegible]	

Error entered in the case on the 16th day of [illegible] the writ of Error and the Bond to the Clerk of the Supreme Court of the State

counsel, and that the counsel have leave to submit the cause on printed arguments.

Leonard Kennedy vs Iliff in Er Asher M. Martin.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Ware for the plaintiff in Error and by Mr Martin the defendant in error.

Henry Hunton Iliff in Er vs Elisha Mahony	In consideration of the motion filed in this cause the 6th instant by Messrs Ewing, Wilson and Smith it is now here ordered by the Court that the leave therein prayed for be and the same is hereby granted.

John L Ergan Iliff in Er vs Luke & Charles Tiernan	It is now here ordered by the Court that the order entered in this cause on the 6th instant postponing the cause

to the foot of the docket be and the same is hereby remanded.

Jesse B Thomas vs. Effinn Et Luke & Charles Tiernan	It is ordered by the Court that the order entered in this cause on the 16th instant postponing the cause to the foot of the docket be and the same is hereby reversed.

John B Thomas Effinn Et vs Luke & Charles Tiernan.	An appeal to the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi and on hearing to the satisfaction of the Court that the matter in controversy in this cause has been agreed and settled between the parties; on motion for which it is ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs

Jesse B. Logan, Jeff'n &	Ins was to the Circuit Court
vs	of the United States for the South
Luke A Burke Exec'r	ern District of Mississippi

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and it appearing to the satisfaction of the Court that the matters in controversy in this cause have been agreed and settled between the parties it is therefore now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs.

for Ch Just. Taney

Thomas Adams Exec of	It is now here ordered by the
Thomas Low dec'd et al	Court that the motion filed
vs	by Mr Lawrence in this cause
Joseph E Low's	on the 8th instant be and the

same is hereby set down for argument on next Friday the 23d instant

Thos. Adams Exec of	It is now here ordered by the Court
Thos Low dec'd et al Complts	that the motion filed by Mr
vs	Lowe in this cause on the 16th in-
Joseph E. Low et al	stant be and the same is hereby set-

Monday Session 1st P.M. August [illegible]

Court met pursuant to adjournment.

Hester Campbell et al vs Estate of [illegible] et al	Argument continued and finished by Mr Miller for the defendants and the same submitted for the present.
Thomas S. Parker et al vs John Fowler et al	The argument of this cause commenced by Mr Keller for the complainants and continued by Mr Whiting for the defendants — (The Justice thereby Leaving the Bench, the Court adjourned until tomorrow morning at eleven O'Clock. —

Tuesday December 20th 1853.

Pursuant to adjournment the Court met this
day at the Capitol
Present

His Honor	Jno. J. Roane,	Chief Justice
	Wm. McFarland	
	Saml. M. Pierpoint	
	Edmd. Wilson	Associate
	Geo. W. Summers	Justices
	Samuel Sheppard	
	Robert White	
	Jno. J. Jackson Jr.	
	Wm. A. Campbell	

Jno. L. Peyton Esqr. Marshal
Wm. Lowther Esqr. Clerk

Proclamation being made the Court is opened.

Application first made to the Court in this behalf by Mr Douglas – it is ordered that John E. Russell Junr. Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.—

On motion first made to this Court in this behalf by The Attorney General Hushing - it is ordered that George Shipley Esquire be admitted to practice as an Attorney and Counsellor of this Court and he was accordingly so.

On motion first made to this Court in this behalf by Mr Miller - it is ordered that Henry Hamilton Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was accordingly so.

Henry Chanteau " vs Affidavit. Edward Hastings	Current business of the motions filed in this cause yesterday by Mr Key and Counsel for the plaintiff were this morning by the Court heard and it is now here ordered by the Court that the time made for the same is hereby extended, and that the Counsel for the plaintiff in error be allowed six hours.

Adam Stuart et al vs Hugh Maxwell.	The argument of this cause was continued by Mr Whiting of Counsel for the appellees and concluded by Mr G.T. Curtis of Counsel for the appellants. (Mr Justice Curtis having been of Counsel did not sit on the argument of this cause)

Adam Stuart et al vs Hugh Maxwell.	The indisposition of Mr Mc Cullough of Counsel for the plaintiffs in error having been suggested it is ordered by the Court that this cause be and the same is hereby continued for the present.

Charles T. Waring vs Jarrett W. Eyckeman	This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York. This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York and is abandoned to the Court here that no appearance of Counsel has been entered in this cause and it is therefore pursuant to the 16th rule

this Court, now here considered, ordered, and adjudged by this Court that this cause be and the same is hereby dismissed with costs, and that the said Defendant recover against the said Plaintiff his costs by him about his defence in this behalf expended

per Mor. Ld. Jud. Tawney

Wednesday Twenty 2nd Nov

Since the adjournment the Court met this morning at the Capitol

Present.

The Hon.	Roger B. Taney	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjn R. Curtis	
	John A. Campbell	

Lewis D Thomas Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Curtis, it is ordered that Alexander Long and John Hyde Esquires of New York be admitted practicing Attorneys and Counsellors of this Court and that Letters do accordingly.

Our motion first made to the Court in this behalf by Mr. Attorney General Whereupon it is ordered that a Special Entry of the Sufficiency be admitted to facsimile on Attorney and Counsellor of this Court and be entered accordingly.

Our motion first made to the Court in this behalf by Mr. Attorney General and that a Special Entry of the Sufficiency be admitted to facsimile on Attorney and Counsellor of this Court and he was sworn accordingly?

The United States vs John Parsons Esq.	In consideration of the Sufficiency filed by the Attorney in this cause on a former day of this term, to wit: on Friday the 16th instant and motion of the said Attorney it is ordered by the Court that the said Sufficiency be admitted to facsimile on the Record of the Court and that the said John Parsons Esq. be sworn as Counsellor of the Court in this cause accordingly.

it is ordered that the said motion be and the same is hereby overruled.

In the Circuit Court of the United States

Henry Hunter vs Elijah Ellis	The argument of this cause was commenced by the Counsel for the plaintiff in error

Whereupon it is ordered that the Court do adjourn until to morrow morning ten o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Hon. &c.	Roger B. Taney	Chief Justice
	John McLean	
	[illegible]	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjn R. Curtis	
	John A. Campbell	
South	& The Hon. Edwin Marshall	
Millican	Thomas Carroll	Clerk.

Proclamation being made the Court opened.

On motion first made to the Court on the behalf of Mr Badger it is ordered that Alexander Thomas Esqre of Alabama be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Thursday Decembr 22d 1859 continued

An motion fait made to the Court
on the behalf of Mr Robinson praying
that it be taken Upon of the Court
to admitted to practice as an Attorney
and Counsellor of this Court and he was
sworn accordingly.—

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

Proclamation being made the Court is
adjourned until to-morrow morning
at eleven oclock

Friday December 23d 1853.

Pursuant to adjournment the Court met this morning at the capitol—

Present.

T. Emmett	Roger B Taney	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	Associate
	Peter V Daniel	Justices.
	Samuel Nelson	
	Robert C Grier	
	Benjn R Curtis	
	John A Campbell.	

Joseph D Hoxie Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Gillet it is ordered that Isaac Nettles Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and was sworn accordingly

The motion for writ of Error coram nobis in behalf of the Estate of Antoine Lafon deceased to dismiss the appeal of the Heirs and Executors of said Deceased was argued by Counsel

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The United States

vs

Nicholas Girod, Official Assignee of Antoine Lafon, Executor of the last Will & Testament of Antoine Lafon deceased

Appeal from the District Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by Counsel On consideration whereof it is now here ordered adjudged & decreed by this Court that the

decree of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said District Court with directions to that Court to dismiss the petition in this case without prejudice to the rights of the petitioner—

pr Mr Jus. Catron

Adam L Gumm
vs. Appeal.
John Fox and the heirs & devisees L Todd. Ex-
ecutor of Lewis Fontaine,
deceased—

On appeal from the District Court of the United States for the Western District of Virginia.—

Mr Tendall of Counsel for the appellee having filed and read in this Court the following certificate, to wit—

State of Virginia to wit—

At a District Court of the United States for the Western District of Virginia held at Staunton on the 23d day of May in the year 1852.—

In an action of Ejectment depending in said

Land on which Solon Dee on the
Levied of Samuel L. Todd.
Execution of Same Defendant dated ___ Plaintiff
___ issued.
Adam L. Gunn ___ Defendant

A verdict and judg-
ment there on rendered in favor
of the Plaintiff from which judgment
the said Defendant took an appeal, and
defeasance bond was ordered of said Court
entered in said cause, and obtained
& the said judgment in these words:

"And the said Defendant by Leo
Attorney thereupon prayed an appeal
from the judgment rendered in this cause,
to the Supreme Court of the United States which
is allowed on the said Defendant entering
Into Bond with surety and filing with the Clerk
of this Court within sixty days from the date
hereof in the penalty of One Thousand Dollars
payable to the Plaintiff for the use of his heirs with
Defendant security as required by law."

Which bond was accordingly given by Adam
L. Gunn the Defendant & Plaintiff & Hiram
Gibbs Sheriff of Caldwell County in the
State Aforesaid & Caldwell County as the

Friday December 21 1855 continued

on the 1st day of July in the year 1852, and a transcript of the record of said cause was made out and delivered to Edmund Pendleton Esquire, of counsel for said Abram Thomas

In Testimony that the foregoing is truly taken and made from the pleadings and proceedings in said cause I Erasmus Gibbons Clerk of the said Court have hereunto set my hand and the seal of said Court at Staunton this 12th of December 1855 and in the 80th year of the Independence of the United States.

Eras. Gibbons Clk

And Erasmus stated that the defendant had attempted to take the record of said Court in this cause, or in any way to prosecute said appeal were not aware of the Courts proceedings of the 25th of this term; to have this appeal docketed and dismissed for certain reasons which it is now here ordered, adjudged and decreed by this Court that the appeal here in the District Court of the United States for the Western District of Virginia be and the same is hereby docketed and dismissed at the costs, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and, notwithstanding

117	William Coleston Junr vs Joseph Collins Junr	On motion to dismiss this cause filed by Mr Lawrence of Counsel for the defendants in error, to wit on Monday the 1st Instant on which day of this term the said motion was argued by Counsel.
132	James Lunt Junr et al vs Joseph E Low by Guardian Mary Edwards	The several motions of Mr Lawrence and Mr Hall filed in this cause on a former day of the present term to wit, on Friday the 28th instant were argued by Mr Hall and Lawrence on behalf of the latter motion.

Further proceedings in the Court are adjourned until Tuesday next at eleven o'clock.

[illegible] to adjournment of the last [illegible]
[illegible] the Capital.

Present

[illegible]	[illegible] Chief Justice
	[illegible] McLean
	[illegible] M. Wayne
	[illegible] Catron
	Peter V. Daniel
	[illegible]
	[illegible]
	[illegible]
	[illegible]

Associate Justices.

[illegible] Esqr. Attorney General.
William [illegible] Esqr. Clerk.

[illegible] having been made the order is agreed.

[illegible] Chief Justice [illegible]

[illegible] Catron, Chief Justice McLean, Wayne, Taney, Daniel, Nelson, Grier & Campbell Associate Justices of the Supreme Court of the United States.

[illegible] for the Circuit Court of the

United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by Counsel — On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed for the want of jurisdiction in that Court; and that this cause be and the same is hereby remanded to the said District Court with instructions to that Court to dismiss the petition without prejudice to the legal rights of either parties.

per Mr Justice Swayne

Henry Theriot vs Stephen Mackey	The argument of this cause was continued by Mr. Attorney General Hunt for the United States and by Mr Connelly Solicitor of Counsel for the plaintiff in Error.

Each party to pay costs.

And the Court is adjourned until to morrow at eleven O'Clock.

No. 1 Minutes of December Term 1839.

Present to wit Present the Court with the same as at the adjournment

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	Henry M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjamin Curtis	
	John A. Campbell	

Joseph D. Brown Esquire Marshal
William Thomas Carroll Esquire Clerk

Proclamation being made the Court is opened.

The United States. Appellants vs Samuel Prevost et al	Appeal from the District Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was

argued by counsel - On consideration whereof,
It is the opinion of this Court that the grants set
forth in the record are valid grants, and that
so much of the decree of the District Court as
confirms them should be affirmed, but that
such of the lands embraced by the said grants as
have been sold or otherwise disposed of by the
United States as exempt from the operation
of the said grants, and that so much
of the decree of the said District Court
as authorizes the location of so many acres
of the lands embraced in the said grants
as have been sold or otherwise disposed of
by the United States or any other unappro-
priated lands of the United States
within the State of Louisiana as was
said should be reversed. Whereupon it
is now here ordered, adjudged and de-
creed that so much of the decree of the District
Court as authorizes the location of so many acres
of land as have been disposed of by the
United States or any other unappropriated
lands of the United States within the State
of Louisiana be and the same is hereby
reversed and annulled, and that the lands

so sold or otherwise disposed of by the United States be and the same are hereby exempted from the operation of the said grants. And it is now here further ordered, adjudged and decreed that so much of the decree of the said District Court as declares the said grants to be void be and the same is hereby affirmed.

J. P. Wm. Cranch.

The United States
vs
Thomas F. Ottinger

Appeal from the District Court of the United States for the Eastern District of Louisiana.

This cause came to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by Counsel. On consideration whereof it is the opinion of this Court that the grants set forth in the record are valid grants, and in words of the decree of the District Court as confirms them should be affirmed for the use of the legal representatives of William Carr deceased, but that such of the lands embraced by the said grants as have been sold or otherwise disposed of by the

United States are exempted from the operation of the said grants and that so much of the decree of the said District Court as authorizes the location of so many acres of the lands embraced in the said grants as have been sold or otherwise disposed of by the United States or any other unappropriated lands of the United States within the State of Louisiana is erroneous and should be reversed.

And whereas it was further ordered adjudged and decreed that so much of the decree of the said District Court as authorizes the location of so many acres of the land as have been disposed of by the United States or any other unappropriated lands of the United States within the State of Louisiana be and the same is hereby reversed and annulled, and that the lands sold or otherwise disposed of by the United States be and the same are hereby exempted from the operation of the said grants. And it was further ordered, adjudged and decreed that so much of the decree of the said District Court as declares the said grants to be invalid be and the same is hereby affirmed, for the reasons of the Court aforesaid as delivered by Mr Justice Daniel.

The Northern Indiana Railroad Company et al
35 vs Appts.
The Michigan Central Railroad Company

Mr Counsel of Counsel for the appellants moved the Court for an extension of time under the 32nd rule so as to allow him one hour in addition to the time allotted by the rule on the opening of the cause, or if the Court refuse that extension, that time the cause may be submitted to him at such time as they may think. Whereupon the Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

The Northern Indiana Railroad Company et al
35 vs Appts
The Michigan Central Railroad Company.

Mr Gray of Counsel for the appellants moved the Court for permission to divide the time allotted them by the 32nd rule as the said Counsel may think fit—

Whereupon the Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider.—

Proclamation being made this day is adjourned
until to-morrow morning at eleven O'clock.

Monday December 1st 1862

Court to adjourn until the first Monday in the morning at the Capitol

Present.

The Honorable	Roger B. Taney	Chief Justice
	John A. McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benja R. Curtis &	
	John A. Campbell	

Clerk & Reporter Upon the Bench
William Thomas Crandall Esqr.

Proclamation being made the Court is opened.

On motion for leave to the Court on the Writ of Error in this cause it is ordered that Wm Irwin Esqr of California be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Error to Delaware Circuit

to

The State of Delaware. The
Case was to
the Supreme
Court of Delaware.
Court of Errors and
Appeals, held at
Georgetown.

This cause came
on to be heard on the transcript of the record
from the Supreme Court of Delaware and
was argued by Counsel. On consideration
whereof it is now here ordered
and adjudged by this Court that the
judgment of the said Supreme Court
in this cause be and the same is hereby
affirmed with costs, and that this cause
be remanded by the proper process
and mandate to the said Supreme Court
that such further proceedings may be had therein in conformity
to the opinion and decree of this Court
and pursuant to the Constitution and laws
of the United States and the rules of
this Court.

Daniel Smith, Surviving Partner of Smith, Fenton & Co.	Appeal from the District Court of the United States for the District of Texas.
34. vs	
Daniel A. Hamilton.	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Texas, and on the motion, and with the assent of the Counsel for the Appellants.

It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs.

per Mr Ch. Just. Taney.

The United States, Plffs in Error	Mr Baldwin of Counsel for the Defendant moved the Court for leave to the Clerk to issue a mandate in this case or a certified copy of the decree rendered in this case yesterday. The Court not being now sufficiently advised of said motion, ordered it to be held over for further consideration.
vs	
Thomas H. Watson.	

Thursday, December 29th 1853. Continued 7480

The United States. Appellees vs Lewis Daveenport & Lewis.

Mr. Baldwin of Counsel for the appellant moved the Court for leave to the Clerk to issue a procedendo in this case, as a sealed copy of the decree entered in this case yesterday. All parties to said decree having been duly notified of said motion, what is due to render in the premises taken to said decree.

The United States. Appellees vs Thomas [illegible] Appellant

The appellant having died since the last continuance of this cause.

The United States. Appellees vs Railroad Company. Appellants

The consideration of the motion of Mr. Clay made in this cause yesterday, & the extent of the Court that the motion be and the same is hereby overruled.

The Attorney Genl. of Indiana Ex rel. Thompson Fitch & Fitch vs. The Wabash Grand Prairie Turnpike Company

In consideration of the motion of Mr Brandon made on the same day it is ordered by the Court that the said motion be and the same is hereby overruled.

The Attorney Genl. of Indiana Ex rel. Edwards Boundary vs. The Wabash Grand Prairie Turnpike Company

The argument of this cause was commenced by Mr Brandon for the defendants and continued by Mr Bryce for the Relator.

(Mr Justice Scott having retired, did not sit on the argument of this cause.)

Mr Justice Young not present at the Court's argument until a quarter morning 11 o'clock A.M.

Pursuant to adjournment the Senate met this morning at the capitol.

Present

The President	Hugh L. Taylor
	Peter P. Dawson
	Samuel Polke
	Edward M. Ross
	Isaac P. Gaff
	Peter G. Ramsdell

Senators D. Thorne Erwin Hamilton
William Stewart Daniel W. Clark

The Journal of Yesterday was read and approved.

William Fisher Esqr	Sundry messages from the
to Hugh R. Boulton and	Right Board of
Richard Ewart of	Canal and Internal
the Billions, deceased.	of the State of
	Mississippi

Were severally read and the Board of the

Court of the record Issue the Eighteenth day of June Anno Domini 1816 of the State of Mississippi. On consideration Whereof it is now Ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

per Mor. Bla. Jus Tancey.

The United States
vs Appeals.
Thomas Swann

On consideration of the motion made in this cause yesterday by Mr Baldwin of Counsel for the Appellee and with the consent of Mr Thomas Swann Acting of Counsel for the Appellants now here represented in open Court it is ordered that permission be and the same is hereby granted the Clerk to issue a writ of procedendo in this cause during the present session of the Court.

The United States
vs Appeals
Samuel Raymond et al.

On consideration of the motion made in this cause yesterday by Mr Baldwin of Counsel for the Appellee and with the assent of Mr

[illegible] Counsel for the
plaintiff — [illegible]
it is ordered that permission be and the same
is hereby granted the Clerk to issue a writ
of procedendo in this cause during the pres-
ent Session of the Court —

[illegible]
[illegible]

The motion of the
Attorney General coming
on to be heard for the dismissal
of the appeal herein and
the motion of the appellee
for the argument of said
motion for the 6th instant —

The argument of
the said motion
heard by the
Court and on the argument of the said

(1) [illegible]
[illegible]
[illegible]

The argument of
the said motion
heard by the
Court and on the
for the appellee —
the Motion for
the argument of the said

Present as aforenamed the Court and the Jury at the Bar.

Bishop.

The Presidt	Edgr J Tracy	Assistants
	John Mc Lean	
	Henry D Wayne	
	Isham Bateman	Associate
	Peter V Daniel	Justices.
	Samuel Nelson	
	Robert C Grier	
	Benjn R Curtis Jr	
	John A Campbell	

Saml. F. Beers Esqr. Marshal
William Evans Small Mesh

Proclamation being made the Court is opened.

On motion ordered to the Court in this behalf by Mr H. F. Brown it is ordered that Thomas Swann Hunt and Randal Hunt Esqrs of Louisiana be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.—

Pierce Davidson et al vs Wabash & Erie	The death of Pierce Davidson one of the appellants having been suggested on the record at the last term of this Court and the heirs of appellants not having yet been made parties it is ordered by this Court that this cause be, and the same is hereby continued to the next term

The Madison & Indiana Railroad Company vs The Peoples Insurance Company.	The argument of this cause was concluded by Mr Sullivan for the appellants. (Mr Justice Catron did not sit on the argument of this cause

Easton Downing et al vs Peter A Browne	The argument of this cause was continued by Mr Sullivan for the plaintiffs in Error.

Ordered that the Court do stand adjourned until to-morrow morning at eleven o'clock

Present the Hon. Roger B. Taney Chief Justice
John McLean
James M. Wayne
Peter V. Daniel Associate
Joseph Story Justices.
Robert B. Taney
Benjn R. Curtis &
John A. Campbell.

Attendance Benjamin Chew Esqr Marshall
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Butler it is ordered that B. F. Brewer Esquire of Nebraska be admitted to practice as an Attorney and Counsellor of this Court and he was thereupon accordingly.

3 The State of Florida, Complainant
against
The State of Georgia, Defendant

In Equity.

On consideration of the application of the counsel of both the complainant and defendant in this cause, it is now ordered and decreed by this court that commissioners and surveyors be named by each of the parties, whose duty it shall be — First — to run and mark a line from the confluence of the Flint and Chattahoochie to the eastern terminus alleged by the complainant to have been established by Hawkins and Mines as commissioners on the part of the United States and Spain under the treaty of 1795 — Second — if they shall find such terminus not to be the true head or source of the St. Marys River, then to run and mark another line from the confluence of the Flint and Chattahoochie to the point which they shall ascertain to be the true head or source of the St. Marys River — Third — that a report by the said commissioners of their proceed-

copy and observations together with such facts as may be necessary to the understanding of the same may be made and filed with the Clerk of this Court on or before the first monday of December next and that the cause be and the same is hereby set down for hearing on the second Monday of December next on all the points arising on the pleadings and proceedings without holding either party to be bound or prejudiced in what shall be by any thing in this interlocutory decree contained.

The State of Florida vs Equity The City of Jacksonville	It is now hereupon ordered by the Court that this cause be and and the same is hereby continued to the next Term of this Court.

Wells & Canada Trust vs Bill to Simpson Taylor	In consideration of the application of the Solicitors of complainant for the adjournment of the Term under the Rule it is ordered by the Court that that the said application be and the same is hereby refused.

Philip P. Barbour's heirs vs Pltffs in Er Benjamin Ruggles	Mr Attorney General Rushing having suggested to this Court that the United States was interested in this cause and he desired to intervene for the protection of the interests of the Government - and the Court to postpone the hearing of the cause. On consideration whereof it is now ordered by the Court that the hearing of this cause be and the same is hereby postponed for one week.

Fenton Berring et al vs Pltffs in Er Peter A. Burden.	The argument of this cause was continued by Mr Key counsel for the plaintiffs in error and S. Hoffman Hayward and Emory Washburn for the defendant in error.

On consideration being made the court is pleased to continue until to morrow morning at eleven o'clock.

Supreme Court of the United States

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benjamin R. Curtis &	
	John A. Campbell	

Samuel D. Mason Esquire Marshal.
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by the Solicitor it is ordered that Richard H. Wilde and Eugene of Attorneys be admitted to practice as an Attorney and Counsellor of this Court and he was severally accordingly —

An motion first made to the Court in their behalf by Mr Hoffman it is ordered that Dyer Fillinghast Esquire of New York be admitted to practice as an Attorney and Counsellor of this court and he was sworn accordingly.—

36 Erastus Deming et al vs Riffin Ex. Inter. N. Burden.

The argument of this cause was continued by the Hon. Judge Tilden of Counsel for the defendant in error and concluded by Mr Potter of counsel for the plaintiffs in error.—

Reargumentation being made the court is informed until to morrow morning 11 o'clock.

Circuit of Delaware to wit

Pursuant to adjournment the Court met at the usual place of their Session.

Present.

The Hon. the	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjn R. Curtis &	
	John A. Campbell.	

Daniel B. Hagner Esquire Marshal
William Thomas Circuit Clerk

Proclamation being made the Court is opened.

William P. Preston and Oliver H. Earle, surviving partners of the firm of Preston & Earle, are by request admitted to practice in this Court for the use of Oliver P. Earle.— Title ex Ed.

Ex

William B. A. Ramsay, Robert Craighead, Samuel W. T. Craighead, James W. Hamel

and James McMillan, admr of Andrew McMillan deceased ___

In error to the Circuit Court of the United States for the District of Eastern

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Eastern and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs. ___

Jno Mc Kinley

Decree of Circuit Court in favor of Pltff in Error

vs

The United States

In error to the District Court of the United States for the Northern District of Florida ___

This cause came on to be heard on the

7495 Monday January 6th 1851 continued.

of the record from the District Court of the United States for the Eastern District of Florida and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be and the same is hereby affirmed, with interest until paid, at the same rate per annum that similar judgments bear in the courts of the State of Florida

per Mr Justice Wayne.

Mr Justice Campbell, dissenting.

Zachariah White plffin Er.
vs.
Isaac W. Sutton and John Thomas.

172

Error to the District Court of the United States for the Eastern District of Louisiana.

No Diagram of Counsel for the defendants in error having filed and entered in this Court the following stipulation to wit:-

"Isaac W. Sutton and John Thomas
vs
Zachariah White.

} District Court of the United States for the Fifth District and Eastern District of Louisiana.

A. Duke III Judge Clerk of the Circuit Court of the United States for the Fifth Circuit and Eastern District of Louisiana do hereby certify that on the second day of June A.D. 1877 the above named plaintiffs did recover a final judgment at law against the above named Defendant in the said Court, in words and figures to wit

April Term A.D. 1877.

[illegible] Court and Judgment [illegible]

[illegible] Clerk [illegible]

[illegible] Clerk

[illegible] Vs. [illegible]

[illegible] Jury [illegible]

[illegible] Verdict rendered

[illegible] Judgment

[illegible] Vs.

[illegible] The Court being satisfied with the Jury's verdict rendered

to be in all respects warranted by the evidence and law, that the plaintiffs [illegible] do have and recover judgment against the Defendant Frederick Hecht for the sum of two thousand dollars with interest thereon at the rate of five per cent per annum from the 9th day of January 1876 until paid with costs

on the plaintiffs above set forth and described in two certain acts of mortgage the one from [illegible] and [illegible] to [illegible] & Wilson passed before Ed. Dufossat, Notary on the 29th June 1843 and the other from [illegible] to [illegible] & Wilson passed before [illegible] Stringer, Notary on the 23d December 1844 - and for costs of suit. -

Judgment rendered 31st January 1852.

Signed 2d June 1852.

Thos. McCorkle (Seal)

U. S. Judge. -

And further I certify, that on the second day of June A. D. 1852. a writ of error was duly applied for and allowed to the said defendant from the judgment aforesaid, returnable to the December Term A D 1852 of the Supreme Court of the United States, which said writ was regularly filed in the Clerks office on the 5th day of June A. D. 1852. - All of which appears from the records of this office.

Witness my hand and seal of (Seal) said Court at New Orleans this 4th December 1852. -

A. [illegible] Cuvillier Clerk

[illegible] plaintiff in error
had altogether failed to file the record of
said Court in this cause, now [illegible] the
Court on [illegible] of the [illegible] of this cause
to have this writ of error docketed and dis-
missed - On consideration whereof, it is now
ordered and adjudged by this Court that
this writ of error to the District Court of the
United States for the Eastern District of
Louisiana be and the same is hereby
docketed and dismissed with costs; and
that this cause be and the same is
hereby remanded to the said District Court
for further proceedings to be had therein
in conformity to law and justice. The
said writ of error notwithstanding.

[illegible]

On consideration of the
motion for a supersedeas
filed by Mr. Lane
counsel for the [illegible]
in error, and of the
argument of counsel

Error to the Dist. Court of
Eastern Dist. of Louisiana.

Thomas Law. dec'd. etal.
vs
Asfata
Lewis & Kenner
original Pltf in Error.

of the motion. It is now here ordered by the Court that said motion be and the same is hereby overruled.

Thomas Adams Exor of Thomas Law, dec'd &c &c

vs

Joseph E. Law, by his next friend Mary Robertson.

On motion of the petitioner to dismiss this case and for a writ of procedendo to issue by Mr Law in this case on the 16th ultimo and the arguments of counsel thereupon had, as well against as in support of said motion. It is now here ordered by the Court that said motion. It is now here ordered by the Court that said motion be and the same is hereby overruled.—

Andrew Wylie &c vs

Leander Robinson &c &c

vs

Robert Law.

Mr Wylie of counsel for the appellant having filed a suggestion of a diminution of the record filed in this case, in this, to wit:- "The omission to send up a transcript of the petition & statement of Nelson Robinson and the agreement of the interest in the case by

complainant to Solon. Mc. Baldwin and
also the copy of the Complaint to
which he was called upon to plead
together with Exhibits and endorsements thereon
and the Court for a writ of Certiorari to
inspect the said proceedings to be sent to this
court and the said Court having ordered it is now here ordered by this Court
that the said writ of Certiorari be and the same
is hereby quashed for the reasons and upon
the said Complaint given notice of the motion
to Mr Lloyd. —

In the matter
of the Petition
of Samuel Smith
Petitioner in Error.

vs.

The Selectmen of Ridgefield Fairfield County
Defendants in Error.

Error to Fairfield County

It is ordered by the Court that the cause be remanded to the said County to the end that
the Selectmen of Ridgefield may be heard in the premises.

In the matter
of the Petition
of Samuel Smith
Petitioner in Error.

vs.

The Selectmen of Ridgefield
Defendants in Error.

Error to Fairfield County

The argument of the counsel
employed by Petitioner in Error
and for the respondents and motion
and by Mr Stebbins for the respondents

The motion having made the Court advised

Monday January 3rd 1831

Court to adjourn until the Court met this morning at the Capitol.

Court

Present	Hon. P. Ewing	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Assoc.
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert B. Grier	
	Benjn R. Curtis &c	
	John A. Campbell.	

Court & Bar Present Ephraim Bonthal
William Thomas Esquire Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Isaac Lowell it is ordered that Josiah M. Dickson Esq. & Thomas Duggan Esquire of New York be admitted to practice as Attorneys and Counsellors of this Court and that Commissions issue accordingly. —

On motion filed made to the Court on the behalf of the State it is ordered that Edward Hall Esqre of Ohio be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Salem Harrow et al vs 38 Appeals Amos Davis et al	The argument of this cause was continued by Mr. Stanbery & Mr. Key for the appellees, and by Mr. Seward for the appellants.

Whereupon the Court is adjourned until to-morrow morning at nine o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Edward Tiffin Chief Justice

John McLean.	
Thomas T. Bryan	
John Watson.	Associate
Peter V. Daniel	Justices
Samuel Nelson	
Robert C. Grier	
Benjn. R. Curtis Esq	
John A. Campbell "	

Joseph R. Mason Esqr. Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Crump of Virginia, it is ordered that William L. S. Coyle Esquire of Florida be admitted to practice as an Attorney and Counsellor of this Court and he is admitted accordingly.—

Tuesday January 11th 1870 Continued

Charles Bultman Jr vs Eli H. Ewer Exr of Joseph Ewer, deceased.	Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Bradley.

Theodore Sizer vs Cha[illegible] M. Spencer	Error to the Supreme Court of the City of New York

This cause came on to be heard on the transcript of the record from the Supreme Court of the City of New York and was argued by counsel. On consideration whereof, it is now here ordered and ad-

[illegible]

[illegible]

[illegible]

Tuesday January 2nd 1855 continued

Lloyd & Patterson Appellants vs Lloyd Appellee	Appeal to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by Counsel On consideration whereof it is now ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Jot. Mr Lean Dis. Curiæ

John McDougal et al. Appellants vs Mary Woodward et al	It is now ordered by the Court that two days be allowed to the respondents side for the argument of this cause and that the said time be allotted between them as they may deem fit and proper.

judged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

Mr Justice Curtis

Dissenting Mr Justice Nelson

[illegible] Eyre and Wyman & Abbe vs Eyre and Charlotte C. Potter and 13 others Appts

Samuel A. Potter and Wenger Loudan.

Appeal from the Circuit Court of the United States for the District of South Carolina

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina and was argued by counsel. On consideration whereof, it is now here ordered and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Mr Justice Daniel

Tuesday morning 10th Oct. continued

Lloyd Phillips Appellant vs Lloyd Thayer	In error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

Pet. Mr Vk. Dis Curiæ.

John McDonough & Co. et al. Appellants vs Mary Chenault et al	It is now here ordered by the Court that two days be allowed to the appellees on each side for the argument of this cause and that the said cause be allotted between Thursday & Friday next for said purpose.

Wallace Duncan et al vs Peter McKittrick et al	On consideration of the motion filed by Mr Dunean in the case and which was the words and figures following, to wit: "In motion of L. A. Duncan and on showing to the Court by the affidavit and motion herein made by A. Perin Esq. counsel for defendants in error that Margaret Mc Kittrick one of the respondents herein departed this life, leaving William H. McKittrick a minor child her sole legal heir. And that by the laws of Louisiana the father of said minor is the natural tutor entitled to represent said child in all legal proceedings and that Peter McKittrick is the father of said minor" It is now here ordered by the Court that Peter McKittrick the father of said Wallace a minor be and he is hereby appointed the guardian ad litem of the said minor W. Hen, and that the said Peter be and he is hereby made one of the parties plaintiff in error in this cause in lieu of and to prosecute the same for himself and on behalf of the said child in his aforesaid capacity.

Tuesday January 4th 1842 continued

Charles Crumpton et al vs Stephen et al	Mr Lucas of Counsel for the plaintiff in error having suggested a diminution of the record filed in this case in this, to wit: That an affidavit had been made out in order of said Circuit Court praying that Charles Crumpton be the return copies of the pleadings in said cause and ordering that all and singular the proceedings which should thereafter take place in said cause should be in the name of said Charles Crumpton &c By reason of which omissions and errors aforesaid the said cause is now here removed the Court to award a writ of Certiorari to be directed to the Judges of the said Circuit Court commanding them that recording the records and proceedings of the said Court in this cause they do certify to the Court under the seal of the said Court the certain matters omissions and errors shall be found &c — On consideration whereof it is now here ordered and adjudged by this Court that a writ of certiorari be and

Tuesday January 11th 1825 continued

the same is hereby awarded to be issued
to the Pl. and to be limited to the Judge
of this said Court that commanding them
to certify under the seal of the said Court
what whatever omissions and errors shall be
found in the same and return the same with
the rest of certificate forthwith to this Court.
Ld Jno Sib Jus Comyn

John Swan & al. Pltffs vs Jesse Evans & al	The argument of this cause was concluded by Mr Swan for the Pltffs

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The United States, Pltffs vs Jesse I. Evans & al	The argument of this cause was commenced by Mr Swan for the defendants returned

by Mr Attorney General Ewing for the Plaintiffs
and concluded by Mr Pike for the defendants.

Further hearing of the Court is adjourned
until to morrow morning at eleven Oclock.

Wednesday January 11th 1854

Present the Judges of the Court of the
meeting of the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Robert C. Grier	
	Benjamin R. Curtis	
	John A. Campbell	

and the Hon. James Speed Attorney
William Thomas Carroll Clerk

The motion being made the Court is adjourned

The Augustus Ferguson	The argument
vs Appeals	of this cause
John R. Thompson.	was commenced
	by Mr Edmund

Randolph of Counsel for the appellants and
continued by Mr J. M. Read for the appellee.

Read motion being made the Court is adjourned

Thursday January 12th 1854

Pursuant to adjournment the Court met this morning at the capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjn R. Curtis &	
	John A. Campbell.	

Samuel D. Hemmen Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by the Attorney General Ordered that Daniel Ford Esquire of Indiana be admitted to practice as an Attorney and Counsellor of this Court and he was accordingly so.

The United States
vs
Robert Gill Count of the State Texas Indicted

On the motion of the Attorney General leave of Counsel for the appellants. It is ordered by the Court that this cause be and the same is hereby continued for the present

Pettigrew Argument
vs
Robert Gill Count of Indictment

The argument of this cause was continued by Mr. Badgwalader for the appellee and concluded by Mr. Legrand for the appellants

Carlton Defendant et al
vs
Effie et al Complainants

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Brent for the Complainants on appeal and by Mr. Pinkney for the defendants on appeal

Ordered that the Complainants appeal and costs be paid by the Complainants

(Filed [illegible])

[illegible]

[illegible]

[illegible]	Geo. P. Evans Sol. Meredith James B. Wayne Linus Bateon Peter F. Smith Francis Elmore Robert M. Lee Benjn. F. Butler John A. Campbell	Chief Justice Associate Justices

Stanly [illegible] Thomas Bynum Nash H.
Williams Green Franklin Clark

Confederate Courts, under the Court is closed

[illegible]	In argument of the motion to dismiss the cause and remand it to the State on which it was removed by the Confederate Courts and excluded by the Courts on which it was
[illegible]	The other Justices having gone of Circuit did not sit on the case.

Friday January 5th 1866 continued

Frank Porter
vs
Office in
Archibald J. Emmett

The argument of the motion to dismiss the writ was resumed by Wm L. McDavis in support thereof, resisted by Mr Conway Robinson in opposition thereto and re-sustained by Wm Davis in support thereof.—

Deliberation being made the Court is adjourned until Monday morning at eleven o'clock

Monday January 16th 1854.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John M. Clean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj. R. Curtis	
	John Campbell.	

Lorenzo D. Beaver Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court opened.

On motion first made to the Court on the behalf of Wm. D. & A. Clark it is ordered that John M. Hoffman Esqr of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Monday January 10th 1916 Continued

Ref Illinois Mfg Co

vs

Illinois Glass Co

The argument of the respective counsel in the above cause was heard by the Court and taken under advisement.

The plaintiff in error attempted by its bill to establish the liability of the defendant in error and prayed that it be decreed to the plaintiff in error.

[illegible] the [illegible] to the [illegible] [illegible] [illegible] [illegible] [illegible]

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benja. R. Curtis	
	John A. Campbell	

Joseph W. Mason Esqr. Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

A motion first made to the Court on the behalf of Mr. Somers it is ordered that Francis Scott Key Esqr. of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was accordingly.

Filed May 29th 1871

The United States of the
Use of
Lucius Fairchild Surviving
Executor of Jeffd Pierce and
Executor of Edward Pierce

Appeal from the
District Court of the
United States for the
Eastern District of
Louisiana.

This cause came on to be heard
on the transcript of the record from the
District Court of the United States for the
Eastern District of Louisiana and was
argued by Counsel — On consideration
whereof it is ordered adjudged and decreed
by this Court that the decree of the said
District Court in this cause be and the same
is hereby affirmed with costs and that
the cause be remanded to the said District
Court for further proceedings to dismiss
the petition of the claimants.

per Mr Justice Swayne.

Filed May 29th 1871

The United States
Use of
Lucius Fairchild Surviving
Executor of Jeffd Pierce and
Executor of Edward Pierce

Tuesday January 9th 1872 continued

Thomas Johnson, Jeremiah Johnson
and George Bruce

In a certificate of division in opinion
between the Judges of the Circuit Court
of the United States for the District of
Indiana.

This cause came on to be heard on the
transcript of the record from the Circuit
Court of the United States for the District
of Indiana and on the points & questions
on which the Judges of the said Circuit
Court were opposed in opinion and which
were certified to this Court for its opinion
agreeably to the act of Congress in such case
made and provided and was argued by counsel
On consideration whereof it is the opinion of
this Court

1st That the plaintiffs in this suit are
not entitled to more than their actual loss
since of the proceeds of the sale

2nd That they are consequently not entitled
to the whole proceeds to the extent of what
remained on this judgment

action and awarding it be tried by the Court.—

Whereupon it is ordered and adjudged by the Court that it be certified to the said District Court for this Eastern

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The United States

vs

The Bank of Louisiana and others— Suit in Equity for Injunction &c. Return Day Term— Docket &

The Defendants from the Branch Bank of the United States for the Eastern District of Louisiana.

The answer of the Defendants to the Bill of Complaint of the United States

last Court of the United States for the Eastern District of Louisiana and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed and that this cause be remanded to the same is hereby remanded to the said District Court with directions to that Court to dismiss the petition of the Claimants

per Mr Justice Nelson.

Dissenting Justices Mr Chief Justice Taney, Justice Catron & Justice McKinley

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Samuel Adams Wm & al
vs
Nicholas Ellenbeck

This cause was argued by Mr Summer for the plaintiffs in error and submitted on printed argument by Mr Bradley for the defendant in error.

William Livingston & al. Appts
vs
William Wormouth's Admr et al.

This argument of this cause was commenced by Mr Bradley for the appellants and

ordered by the Court for the trial of
the ____

(Mr Justice Bonin leaving the Room
of Counsel did not sit in this case.)

Proclamation being made the Court
[illegible] until to-morrow morning
at eleven o'clock.

Pursuant to adjournment the Court met
this morning at the Capitol

Present

The Court	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Gabriel H. Levis	
	Benjn R. Curtis	
	Solon C. Campbell.	

Joseph L. Evans Esquire Marshal
William Thomas Circuit Clerk

Credentials being produced the Court is duly

On motion first made to the Court on
this behalf by Mr Wirt it is ordered that
A. O. Hall Esquire of New York be admitted
an Attorney and Counsellor of this Court
and he was sworn accordingly

William Livingston et al
vs
Peter Wilson Executor
&c. Defts

The argument of this cause was continued by the Counsel for the defendants and concluded by Mr. Delony of Counsel for the defendant

Thomas Kavanaugh
vs
Peter F. Smith &c

The argument of this cause was commenced by Mr Bozeman of Counsel for the Complt

Whereupon the Court is adjourned until to-morrow morning at eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Court House

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjn R. Curtis	
	John A. Campbell	

Samuel D. Hamner Esquire Marshal.
William Thomas Esquire Clerk.

Proclamation being made the Court is opened.

On motion filed and to the Court on the behalf of Mrs Emily Johnson it is ordered that James Raymond Esqr of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was thereupon sworn accordingly.

Tuesday January 9th 1838 continued

On motion first ordered to the Bench in the behalf by Mr Attorney General Gardner it is ordered that W Edwards Esqr of Missouri be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Thomas Kennaystreet vs Edw A Taylor et al	The argument of the Court continued by Mess Dyton and Conway Johnson for the appellees —

Proclamation being made the Court adjourned until tomorrow morning at eleven Oclock —

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon.	Geo. S. Gray	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Assoc.
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj. R. Curtis &c.	
	John A. Campbell.	

Joseph D. Hoover Esquire Marshal.
W. Thos. Carroll Esq. Clerk.

Considerations being sent to the Court as ordered.

On motion first made to the Court in this behalf by Mr Dayton it is ordered that Martin Luther Esq. of New Jersey be admitted to practice as an Attorney and Counsellor of this Court and he was thereupon accordingly.—

On motion Ordered to the Board
of Education by Mr. Stevens Comm.
Petition of a number of Citizens
of Bayou Square of South Broadway
be referred to Location of the Steam
and Cancellas of this Board and Report
Accordingly

On motion Ordered to the Board
of Education by Mr. Stevens Comm.
Petition of a number of Citizens
of Bayou Square of South Broadway
be referred to Location of the Steam
and Cancellas of this Board and Report
Accordingly —

William Sutton Petn.	Mayor & Board of
to Open Cliff in Ex.	Education Locating
Joseph Collins Front	School House

---

on motion) to re-
fer the petition to Supt. of Streets
for report of procedure and to offer the
ordinance to Street until the same is report-
ed in the regular call of the Calendar
for reasons therein set forth — same Com-
mittee the Board accordingly, and submit-

was opposed by Mr Lawrence of counsel for the defendants in error. When how this court not being one but sufficiently advised of and concurring what order to render in the premises took time to consider.

Thomas Ewing Ad. Plff in Error
vs
John A Taylor et al.

The argument of this cause was concluded by Mr Ewing for the plaintiff.

Hunter & Hunter Plffs in Error
vs
James Kneeland et al

This cause was argued by Mr Foster for the defendants in error and submitted on a printed argument by Mr Hunter for the plaintiffs in error.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday January 23d 1804.

Pursuant to adjournment the Court met this morning at the Capitol.

Present:

The Honorable	Edward Tilghman	Chief Justice
	John Chew	
	James McPherson	
	John Bayly	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert Le Grand	
	Benjamin Harris	
	John L. Brookes	

Jonah D. Barnes Esquire Marshal.
William Thomas Barnes Clerk

Ordered that Court do now adjourn to the Court House

The motion first made to the Court in this behalf by Mr. Key and afterwards withdrawn that Wm. Key Esquire of Maryland be admitted to practice as an Attorney and Counsellor of this Court was now again read and

Monday January 20th 1851 adjourned

On motion leave was given to the Court on the behalf of Sir Wm Wicks & ordered that Thos B. Sneed Esquire of Illinois be admitted to practice as an Attorney and counsellor of this Court and he was sworn accordingly.

On motion leave was given to the Court on the behalf of Sir George & ordered that Stephen A. Strong Esquire of Ohio be admitted to practice as an Attorney and counsellor of this Court and he was sworn accordingly.

Solon. Mc Dougle Esqr
vs
Jeffrey & Wife
Error to Jackson

The argument of this Cause was commenced by Mr Jos Hoge for Plaintiff in Error and concluded by Mr Sneed for the defendant.

On motion leave was given to the Court to adjourn until to morrow morning at eleven O'Clock.

Pursuant to adjournment the Court met this morning at the capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	Henry M. Brackenridge	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	[illegible]	
	John A. Campbell	

Jesse D. Bright Esquire Marshal.
William Thomas Clerk

Proclamation being made the Court is opened.

On motion Leave is granted to the Court on this behalf by Mr. Attorney General Cushing it is ordered that John P. Kennedy Esquire of Maryland be admitted to practice as an Attorney and counsellor of this Court and he was duly accordingly

In order that cases in the Court in this behalf by Mr Saunders Solicitor it is ordered that James P Corbett Esqr of Memphis may be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly—

Calvin McDonough Exor. vs Appeals Benj. Murdock et al	The argument of this cause was continued by Mr Benjamin for the Appellees.

Proclamation being made the Court is adjourned until to-morrow morning at eleven O'Clock.

	Peter V. Daniel	Justices
	Robert B. Taney	
	Roger B. Curtis &c.	
	Levi Woodbury	

Counsel for Plaintiffs in Error Heard
William Seward Daniels Esq.

Benjamin Curtis to the Court as follows

On motion first made to the Court in the behalf of the Complainant it is ordered that the Bill of Complaint be admitted to be filed as of the first day of the present Term and that the Clerk do receive and file the same accordingly.

Wednesday January 25th 1832 Continued

John Mc Donogh Exrs Complts vs Thos Barnard et al	The argument of this cause was continued by Mr Rowe for the defendants

---

Proclamation being made the Court is adjourned until to-morrow morning at ten Oclock

---

Thursday January 6th 1854

Pursuant to adjournment the Court met this morning at the Capitol.

[illegible]

[illegible]

Isaac D. Barnes Lewis Sheetz
William Thomas Daniel Black

[illegible]

Petition for Writ of Error
Presentation of Petition
Appeal
Thomas D. Burings
and with the assent of
[illegible]
[illegible]
[illegible]

1830 Monday January 4th 1830 continued.

John McDonough Exrs.
vs
Thos. Murdock et al

The argument of this cause was continued by Mr Grant of Counsel for the defendants.

Proclamation being made the Court is adjourned until to-morrow morning at eleven Oclock.

In the matter of the petition of [illegible]
for the appointment of [illegible]

[illegible]	[illegible]
	[illegible]
	[illegible]
	[illegible]
	[illegible]
	[illegible]
	[illegible]
	[illegible]
	[illegible]
	[illegible]

[illegible] Esqr. Counsel for Petitioners.
[illegible] Esqr. Counsel for [illegible].

[illegible] Petitioners

On motion [illegible] made to the Court
in this behalf by [illegible] Esqr. Counsel
for the said Petitioners [illegible]
[illegible] of the Petitioners [illegible]
[illegible] of the Commissioners [illegible]
of the Court made [illegible]

A motion was made to the Court on the part of the Attorney General Sterling and ordered that Edward Graham and Clifford Pinkney of Maryland be admitted to practice as Attorneys and Counsellors of this Court on their producing the usual credentials

The State of Georgia vs The Union Bank	The argument of this cause was continued by the Court for the defendants
The United States vs The Bank of Metropolis	The cause to the Supreme Court of the State of Florida

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Florida and was argued by Counsel On consideration whereof it is now ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

The Court then took recess

[illegible]

[illegible]

the District of

[illegible]

This cause came on to be heard
on the transcript of the record from the
District Court of the United States for
the District of Massachusetts and was
argued by Counsel. On consideration
whereof it is ordered that said decree
be and the same is hereby dismissed
for the want of jurisdiction.

Mr. Chief Justice Taney

Samuel Cabot, Nathaniel Thomas
Benjamin D. Bangs and William B.
Rice, owners of the Ship Nathaniel
Cabot, Libellants & Appellants.

vs.

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The Nathaniel Cabot, Peter Shaw, Master
Her Tackle, Apparel & Furniture.

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and it appearing to this Court by a stipulation of the parties on file, that the matters in controversy in this cause had been agreed and settled between the parties, it is therefore now here ordered and decreed by this Court that this cause be and the same is hereby dismissed at the costs of the Appellants.

By the Court.

Charles Edwin Pettinos
Matthias Coyle & Benjamin
and William B. Foster, owners
of the Steamer Osprey, Ap-
pellants and Claimants

vs.

The Schooner Ida, Stanton Stone
Company, owners of
the Steamship Osprey.

Appeal from the
Circuit Court of
the United States
for the Eastern
District of Penn-
sylvania.

5

Friday January 9th 1880 continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and it appearing to the Court by a stipulation of the parties, it is therefore ordered and decreed by this Court that this cause be and the same is hereby dismissed at the costs of the plaintiffs

for the Circuit Court

Reuben Anderson et al vs Jeffries Ex. Michael Reed	In error to the Circuit Court of the United States for the Eastern District of Pennsylvania

40

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and

the same is duly remanded to the said Circuit Court with directions for further proceedings to be had therein in conformity with the opinion of this Court.—

per Curiam. Campbell.

John Graves Thomas &c
vs
Jeremiah Sargeant and George Sullivan
vs
John Graves Thomas &c
vs
Wm Wells and Ephraim Paulk—

Appeal from the Circuit Court of the United States for the District of Maine.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine and was argued by counsel— On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in the cause be and the same is hereby affirmed with costs.—

per Mr Justice Baldwin.

Erastus Deming & Solon T. Winslow — Plffs in Er vs Peter A. Burdeau	In error to the Circuit Court of the United States for the Northern District of New York —

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by counsel. — On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo —

Mr. Justice Brewer —

Adolphe Francis Fournette Levis — Plffs in Er vs Benjamin Baggett.	Mr. Attorney General Mushing Seamon this date filed their several motions in this cause to dis

ruled to argue on subsequent times, and was released by Mr Remsey Johnson of Counsel for the appellants — Whereupon this Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider. —

John Wyche Lessee of Samuel Baldwin — vs — Robert Lewis	Mr Wyche of Counsel for the appellant having this date filed a suggestion of a diminution of the record in this case now here moved the Court for a writ of certiorari, Whereupon the Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider. —

John H. Lewis Appt. vs Lessee Baldwin —	It is now here ordered by the Court that this cause be and the same is hereby set down for argument on Monday the 9th instant. —

Friday February 2nd 1855 continued

William Robertson Executor &c. Plff in Error vs Henry F Hamtt and James Richards Exrs of Jas Mullins Decd	It is ordered that the motion to dismiss this cause for want of jurisdiction be heard on Friday the 9th February inst and that a copy of this order be sent by the Clerk to the Counsel for the respective parties

Proclamation being made this Court is adjourned until monday morning at eleven Oclock.

Pursuant to adjournment the Court met this ... at the Capitol.

Present.

The Court	Roger B. Taney	Chief Justice
	John Mc Lean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjn R. Curtis &	
	John A Campbell	

Joseph D. Beaver Esquire Marshal.
William Thomas Carroll Clerk.

Continuation being made to the Court as directed.

On motion first made to the Court in this case by Mr Attorney General Cushing it is ordered that F. W. English Esquire of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on the behalf of the Petitioner & ordered that Charles Mayer Attorney at Law of this State be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly—

Peltzgrove M. Magraw, David L. Magraw and William Andrew Mitchell make the firm of Magraw & Co. —

vs.

John K. Thompson

Appeal from the District Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Pennsylvania and was argued by Counsel.— On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with

Per Mr. Justice Daniel.

The United States
vs
Offin &
Benjamin Boggs.

Mr. Attorney General Bushing leaving on a prior day of the present term filed the following suggestion, to wit; — "And now Mr. Attorney General appearing for the United States, in the course of the argument in this case, suggests that this case comes up by exception from the Circuit Court of the United States for Missouri, that the record brings up an alleged grant to the assumed ancestor of the plaintiffs in Canada, and the translation of the same into English, as required by the rules of Court, that the plaintiffs have in that Court filed a new translation purporting to be made and certified by Mr L. C. Tabeau.

"Whereupon the Attorney General observing all questions to the said translation, and the following Rules of this Court, moves the Court, that the said record be submitted to examination and argument on the one side, as to the professional knowledge of mathematicians generally, and of navigation and surveying specially, the terms translated are in controversy, being technical words appertaining to the said sciences; that and without

he also submitted a motion, as to the grounds and reasons of any glosses which he may object of the translation of such terms of account, and that the Court should be furnished to consider other matters, as to the true signification of the said terms of account Bowling."

The consideration thereof, and of the arguments of Counsel thereupon had as well in support of as against the same, it was ordered by the Court that said motion be and the same is hereby overruled.

Chief Justice Cushing delivered the opinion of the Court

Mr. Attorney General Bullock for the Government

The Attorney General filed in this cause on the first day of the present term filed the following suggestion and motion, to wit:

And now the Attorney General of the United States on the part of the defendant in the above entitled cause by the petition of a certain document in the French language, entitled "Cour d'Empire" and translated by the Interpreter of the Court, to the Court

Mr. Thompson now here ordered by the court the consideration of the said suggestion be and the same is hereby postponed for the present.—

Motion Docket for Term of January Session 1857	In consideration of the suggestions of a diminution of the record and of the motions for a writ of
344	
Motion Docket	
Term of Term	

Certiorari to state filed in this cause and of the argument of counsel thereon had as well in support of as against the same, it is the opinion of this court that the application cannot be granted. Wherefore it is now here ordered by the court that said motion be and the same is hereby overruled.—

Supreme Court, Appellate Jurisdiction.	On the motion of Mr. Evans of counsel for the defendants in error, it is
45	
Archibald Emmett.	

now here ordered by the court that leave be and the same is hereby granted the clerk to issue a writ of procedendo in this case during the present term of this court.

The Milwaukee Lake Shore & Western Railway Company & the Board of Commissioners for the Construction of the Buffalo and Milwaukee Railroad

vs

The Michigan Central Railroad

Appeal from the Circuit Court of the United States for the District of Michigan

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Michigan and was argued by counsel On consideration whereof it is the opinion of this Court, that the Circuit Court had no jurisdiction of the case, and on that ground the bill was properly dismissed there was, therefore no error in the decree of said Court Whereupon it is ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice McLean

Delivering the opinion of the Court

1000 Record of January Term 1860 continued

Thos. O'Kelly, Exor
of Edmund Hall Dec'd
Pltff
vs
Samuel S. S. Hall, Exor
Edmund and Thomas O. S. Smith
Defts

Appeal from the
Circuit Court of
the United States
for the District
of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed, except so much thereof as decrees that the complainants shall recover their costs in the prosecution of this suit of and from the defendants, and that that part of the said decree giving costs to the complainants be and the same is hereby annulled and reversed. And it is further ordered and decreed by this Court that the parties respectively pay their own costs in this Court and in the said Circuit Court.

Jas. M. Ch. Jud. Taney

Monday January 9th 1911 continued.

Mr Justice Isaacs, Rich and Higgins dissent from the judgment of the Court on the question of costs.—

Mr Justice Gavan Duffy having been of Counsel did not sit in this cause.

Proclamation being made the Court for adjourned until to-morrow at ten o'clock.

Tuesday January 31st 1854 Continued

On motion first made to the Court in this behalf by Mr Henry M. Watkins it is ordered that Hugh Sedgwick Esqr of Mississippi be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly—

On motion first made to the Court in this behalf by Mr Easton it is ordered that J. W. Sandford Esqr of New Jersey be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly—

The United States to James L. Porter and Isaac L. Taylor—	On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Eastern District of Arkansas—

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern

District of Arkansas and on the points & questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to the Court for its opinion agreeably to the act of Congress in such case made and provided and was argued by counsel — On consideration whereof, it is the opinion of this Court that the act of Congress entitled "An act to divide the district of Arkansas into two judicial districts," approved the third day of March, in the year of our Lord one thousand eight hundred and fifty one, whereby the western district of Arkansas was created and defined, did not take away the power and jurisdiction of the District Court of the United States for the Eastern District of Arkansas, so that it was proper to hear, try and determine a prosecution for murder, pending against the prisoner, James L. Parsons, a white man and not an Indian, upon an indictment found, presented and returned into the returned into the Circuit Court of the United States for the District of Arkansas, by the grand jury empannelled for that district, upon the 5th day of April, in the year of our Lord one thousand eight hundred and fifty five;

grand and petit jurors, and all persons
for the selection drawing of whose names
another ballot shall not be deposited,
on the eighth day of July A.D. 1844
County belonging to the District
of Indiana, West of Michigan, and shall
form a part of the Indiana District
annexed to the judicial district of Ohio
hereby by the act of Congress passed the
seventeenth day of June A.D. 1844, entitled
"An act supplementary to the act en-
titled "An act to regulate trade and in-
tercourse with the Indian tribes, and to pre-
serve peace on the frontiers, passed the
thirtieth June one thousand eight hundred
and thirty four" in which case no
ballot shall be drawn, no trial has yet been had and
the Writs answer to the first question
heard be the necessity of any answer
to the second question —

Whereupon it is ordered by the
said adjudged by this Court that it
be so certified to the said Circuit
Court —

By the Court Peters

Transcript of Proceedings & Decree continued

Lewis Curtis & Charge Counsel to Curtis & the Apalachicola Land Company Pltffs in Er vs The City of Apalachicola.	Error to the District Court of the United States for the Northern District of Florida.

Mr. Davis of counsel for the defendants in error having on June 1st of this term, to wit, yesterday, filed the following certificate to wit;

"The City of Apalachicola
vs
Lewis Curtis & Charge Counsel to Curtis of the Apalachicola Land Company."

I, Joseph A. Hay, Clerk of the District Court of the United States for the Northern District of Florida at Apalachicola, do hereby certify that a writ of error was issued in the above cause on April last by the Hon. Wm. Marvin for the defendants in the above titled cause.—

Seal

In testimony whereof, I hereunto set my hand and affix the seal of

Office of said Court this 31st day of January A.D. 1854.

Joseph S. Wray, Clerk.
Pike County Kentucky.
Pattum Post Office"

[illegible]

certificate is the original and independent
Testimony of the said witness taken and the same
is duly entered

State of Ky. Lewis. Defendant.	The argument of the cause commenced by the Plaintiffs Solicitor
vs.	
[illegible]	
[illegible]	
[illegible]

Tuesday January 8th 1850 continued

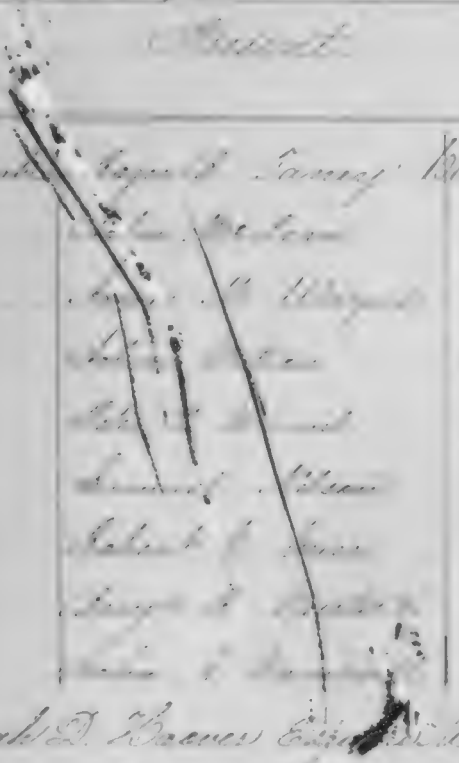
Robert Forsythe Appellant
&c
John Reynolds et al.
for the appellant

The argument of this cause was commenced by Mr Williams of Counsel

Proclamation being made the Court is adjourned until to-morrow morning at seven o'clock

Pursuant to adjournment the Court met this morning at the Court

House



Present The Hon. Hugh O. Bowen Chief Justice

[illegible]

Sewall D. Beaver Esqr Sheriff

William Thomas Barnett Clerk

Proclamation being made the Court is opened

The motion first made to the Court on this behalf by Mr Carter of counsel that James Barnett Esqr of California be admitted to practice as an Attorney and Counsellor of this Court and his name ordered

[illegible]

Wednesday February 1st 1854

The argument of the case was continued by Mr Hillhouse for the Plaintiff	
	Mr Glover for the defendant and concluded his argument

The argument of the case was continued by Mr Hillhouse for the Plaintiff in Error and continued by Mr Hill for the defendant in error.	
	Benjamin Ruggles.

Curia advisare vult

Wednesday June 14th 1854

The argument of the case was continued by Mr Hillhouse for the Plaintiff in Error and concluded by Mr Hill for the defendant in error.—

Curia advisare vult

Wednesday June 21st 1854

Thursday February 2nd 1854

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	[illegible]	Chief Justice
	[illegible]	
	[illegible]	
	[illegible]	Associate
	[illegible]	Justices
	[illegible]	
	[illegible]	
	[illegible]	
	[illegible]	

Samuels D. Beaver Esquire Marshal
William Thomas Carroll Esquire Clerk

Each of the Judges of the Court in person

Philip F. Barnett Esquire	The argument of this cause
vs.	was continued by Mr. Pilchard.
Benjamin Ruggles.	Mr. Attorney General Breckinridge for
	for the defendant in error and by

Mr. Barnett in person for the plaintiff in error.

Each of the Judges of the Court is of opinion

[illegible]

Present to adjournment the Lieutenant this
morning at the Court
Martial

[illegible]	[illegible]	[illegible]
	Capt J. Young	
	Lieu McLean	
	James M. Wayne	
	John Bataire	Lieutenants
	[illegible]	[illegible]
	[illegible]	
	Robert B. Lucas	
	Benjn E. Austin &	
	John F. Barnsdall.	

[illegible] Capt Young Upon Motion
Ordered that Lieut Wm. Lucas

[illegible]

[illegible]

[illegible]

Philip F. Emmath Esqr vs Benjamin Langdale	The argument of this cause was concluded by Mr Randolph Johnson for the plaintiff in error —
Craig Wheeler & Bonney Esqrs vs William F. Bonney	In the matter of the Counties of Cumberland & Hunterdon in error — is now moved ordered by the Court that the Clerk issue a writ of procedendo in this cause during the term. —
William Robertson. Justice &c. vs Joseph Williams Esqr	Wm. Pitt & Wm. Wilson argued in opposition to the motion of Mr Lowrie to dismiss this writ for want of jurisdiction. —
The Governor Council & State Board of Education vs Edward Ewan	Mr A. Ellis of counsel for the defendant in error moved & the Court to assign this case for argument on Tuesday the 21st inst. at the opening of the Court

[illegible]

[illegible] the Court [illegible] the [illegible] [illegible] [illegible]

or on some other given day during the present term for the reasons set forth in the motion filed this date in this case— Whereupon the court not being now sufficiently advised of and concerning what order to render in the premises took time to consider—

Eastes Deming et al vs The Tax Sale Bill Galaxy	The argument of the motion to dismiss the cause and cancel the bond filed by Mr Deming on behalf of Eastes Deming et al and continued by Mr Deming in opposition thereto.

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Exceptions being made the Court adjourned until Monday morning at eleven O'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon. Roger B. Taney	Chief Justice.
" James M. Wayne	
" John Catron	Associate
" Peter V. Daniel	Justices.
" Samuel Nelson	
" Robert C. Grier	
" Benjn. R. Curtis	
" John A. Campbell	

And the Hon. Edward Bates Attorney General

William Thomas Carroll Clerk.

On the motion of

Ordered that the

be admitted to practice in this Court.

Curtis Perry & al Plffs vs Ira Day & al Defts	The argument of the motion to dissolve the injunction was continued by Mr Howard & Bryan in support of the motion and resisted by Mr Ross & by Adams in support thereof

Peter Light & wife & al vs Samuel Baldwin & Supt Richard M Bond	The argument of this cause was commenced by Mr Wright for the defendants and continued by Mr Rodgers for the plaintiffs and by Mr Wright for the defendants

Explanation being made the court adjourned until to morrow morning 9 o'clock

Pursuant to adjournment the Court met
meaning at the Capital.
Present

The Honorable	Roger B. Taney	Chief Justice
	[illegible]	
	James M. Wayne	
	[illegible]	[illegible]
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robt C. Grier	
	Benj R. Curtis	
	John A. Campbell	

[illegible]

Pursuant to notice the Court is now

In motion for leave to file Petition for
writ of Mr. Dred Scott praying that it
might be ordered that Mrs. Emerson may
be admitted to prosecute as an Attorney
and Counsellor of this Court and she was
[illegible]

On motion duly made in the above entitled cause on behalf of Mr Phillips it is ordered that E. W. Bonner Esqr of Memphis be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Andrew Wylie for plff in Error vs Robert Bolton	The argument of this cause was concluded by Mr Wylie for the plaintiff
Jno. M. Gibson for Deft in Error	Mr Phillips on behalf of Mr Watts of Counsel for the defendant

moved the Court for leave to file a printed argument on behalf of his client after the argument at the Bar by the plaintiff counsel had been closed. The motion being made it is now here ordered by the Court that the said motion be and the same is hereby overruled.

56.

Wednesday January 8th 1851

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Hon. R.	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj. R. Curtis	
	John A. Campbell	

Jonah D. Hazen Esquire Marshal
William Thomas Carroll Clerk.

Proclamation having been made the Court proceeded

On motion Ordered that the Counsellors that heretofore by Mr Taney & ordered that J. C. Morton Esquire of Ky. be admitted to practice as an Attorney and Counsellor of this Court and he was duly accordingly.

195 Wednesday February 5th 1851 continued

The Steamship Falcon, her tackle apparel and furniture &c. Libel and Marshall & Robbins, claimants

vs

Appeal from the District Court of the United States for the Southern District of New York

Owen F. Flynn, owner of the Schooner Ellen Lockhart

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and on the motion of Mr Butler of counsel for the appellants, stating that the matters in controversy in this cause, had been settled and agreed between the parties. It is thereupon now here ordered and decreed by this court that this cause be and the same is hereby dismissed with costs

for Mr Chief Justice Taney

Isaac J. Underhill & Russell

vs

Appeal &c

Executors of Isaac Lamberg

The argument of the cause was continued by Mr Sandford for the appellant & by Mr Evarts for the defendant & was concluded

Wednesday February 22 1854 continued from p. 6

by the Authority of Council for the Plaintiff in error —

Deliberation being made the Court is adjourned until to-morrow morning at eleven o'clock.

Present the Hon. [illegible] the Court and the Hon. [illegible] the Marshal.

District.

Mr. Kennedy	Capt. [illegible]	Philadelphia
	John McLean	
	Thos. M. Hope	
	John Sitgreaves	Connecticut
	Wm. [illegible] Daniel	Eastern
	Samuel Gibson	
	Robert [illegible]	
	Capt. [illegible] Porter	
	John [illegible]	

Mr. [illegible] Pierce Esqr. Marshal.
William Samuel Smith Clerk.

Proclamation being made the Court is adjourned.

Motion first made to the Court in this behalf by Mr. Key that it be ordered that Capt. [illegible] Esqr. of Maryland be admitted to practice as an Attorney and Counsellor of this Court and that he do take the oath accordingly.—

Thursday February 9th 1854 Continued

Todd Bennett Appellant vs Wm. Hurst & Isabella Bennett	In error to the District Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Maryland and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby reversed & this cause remanded to the said District Court with instructions to award a venire de novo.

per Mr Justice Curtis.

Dissenting Mr Justice Campbell, Mr Justice Catron and Mr Chief Justice Taney.

Ortman L Beebe Appellant vs Wm H Hardwick et al and also on appeal and bond Wm H Hardwick Appellee vs John Tyler & Robert H Marshall being sureties on the appeal of	Appeal from the District Court of the United States for the District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts and was argued by Counsel On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs—

per Mr Justice Wilson.

Attorney Mr Justices McLean, Wilson & Woodbury

Mr. Justice Curtis having been of counsel did not sit in this cause.—

Peter F. Laval Plaintiff
vs
Lewis Darling

Error from the District Court of the United States for the Northern District of Alabama—

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Alabama and was argued by counsel— On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed with costs, for the want of

further proceedings, and that this cause be and the same is hereby remanded to the District Court in order that such proceedings may be had, and for further proceedings to be had therein in conformity to the opinion of this court.

Mr. Justice Bradley.

Thomas A. Adams plff in Er.
vs
Philip Stanton

In error to the District Court of the United States for the District of Columbia holden in and for the County of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the United States for the District of Columbia holden in and for the County of Washington, and was argued by Counsel. On consideration whereof it is now here ordered, and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs.

Mr Justice McLean

1871 In the Supreme Court of the U.S. October Term

Clinton Wadsworth - Plff in Er.
vs
Lewis Lenhard, & Hannah his wife, and Samuel Lenhard Exrs of Wm Foster deceased & William Foster infants by their next friend Lewis Lenhard

Error to the Supreme Court of the State of Wisconsin

This cause coming on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin and argued by Counsel. On consideration whereof, it is ordered and adjudged by this Court that this writ be and the same is hereby dismissed for the want of jurisdiction.

Mr. Chief Justice Chase

William Robertson Foster &c.
vs
Percy E. Foster and Samuel Fisher Exrs of Sol Foster dec'd

On consideration of the motion of Wm Robertson Foster, and the arguments of Counsel thereupon had, the Court do not consider it a question which should be decided by this Court that said motion be and the same is hereby overruled.

Thursday February 9th 1837 continued

The Bank of the State Bank of Ohio vs Griffin & Lent Lent & Lemon	On consideration of the motion made in this cause by the Heading on a former day of the present term, to wit, on Friday the 3d instant it is now ordered by the Court that the said motion be and the same is hereby overruled.
87.	

The Bank of Chillicothe vs Griffin & Lemon & Henry Dehalt Executor &c.	On consideration of the motion made in this cause by the Heading on a former day of the present term to wit on Friday the 3d instant it is now ordered by the Court that the said motion be and the same is hereby overruled.
88.	

Ebenezer Dibble vs Griffin & Lemon & Enoch Dodge	On consideration of the motion made in this cause by the Heading on a former day of the present term to wit
89.	

Friday the 3d instant — it is now ordered by the Court that the said motion be and the same is hereby rescinded —

Peter J. Satterlee Russell vs Association of Jersey Company Plaintiff in Error. —	On argument of this cause was concluded by Mr. Cutting for of Counsel for the Plaintiff

Thomas O. S. Smith vs Herman O. Ely et al.	Mr. Elliot of Counsel for the defendants moved the Court for time to argue the cause on behalf of the Defts — Whereupon the Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider. —

Hamilton Murray use &c vs Salem H. Gibson. —	This cause was argued by Mr. Key of Counsel for the Plaintiff.

The Chief Justice announced to the Bar in pursuance of the 4th rule of this Court would take up no case after the first day of March — That it would then adjourn to the first monday in April and then continue its session to the first of September —

Proclamation being made this Court is adjourned until to-morrow morning at Seven Oclock —

Court to adjourn to the Court house this morning at the usual —

Present.

The Honorable	Roger B. Taney	Chief Justice
	John Mc Lean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjn. R. Curtis	
	John A. Campbell	

Joseph D. Evans Esquire Marshal
William Thomas Carroll Clerk

Each motion being made the Court is opened.

One motion first made to the Court in this behalf by Mr Comly Solicitor it is ordered that William Rotherham Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was duly sworn accordingly —

Herman B. Ely's Heirs vs Herman B. Ely, Benj. Fairbanks, Robert H. Ely, H. and Wm. H. Marshall, B. Batchelor, Lincoln Goodale, Wm. Thomas, Elliott & E. Bartlett & Robert Ford	In a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Ohio and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the acts of Congress in such cases made and provided, and it appearing to this Court that the said questions or so much as they affect the merits of the said cause have been adjudicated by this Court at this term in the case of Fairfax et al against Morse et al. it is therefore ordered and adjudged by this Court that the said cause be remanded to the said Circuit Court with instructions to proceed in conformity to the opinion of this Court in the said case of Fairfax et al against Morse et al.

I and the same is hereby remanded to the said Court with directions to proceed with the trial of the said Indictments, and also to direct the respondents to specifically distinguish their case of Error from that above referred to.—

By the Court Sup. Court

Penny & Turner et al
vs Iliff in Error
from the Supreme Court

The argument of this cause was commenced by Mr Ewart of counsel for the plaintiffs in error and continued by Mr Penny, solicitor for the defendant in error

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The President Directors & Company of the Bank of Pennsylvania
vs Iliff in Error
The Commonwealth of Pennsylvania

See case to the Supreme Court of Pennsylvania in the Middle District.

The same came on to be heard on the transcript of the record from the Supreme Court of Pennsylvania in the Middle District and on the motion of Mr Ewart of Counsel for the plaintiffs in error, stating that the matter in controversy in this

order, but have agreed and settled between the parties — It is therefore now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs —

Jst. McKle. Jus. Taney.

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16. Thomas P. Smith
vs
Thomas P. Hyde et al

On consideration of the motion made in this cause yesterday by the Solicitor — It is now here ordered by this Court that the said motion be and the same is hereby granted for the reasons set forth in the statement of this Court filed this day in this cause —

Proclamation being made the Court is adjourned until monday morning at eleven o'clock. —

Monday February 6th 1837

Court adjourned the Court met this morning at the Capitol—

Present

The Honorable	Roger B. Taney	Chief Justice
	John M^c Lean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj^a R. Curtis	
	John A. Campbell.	

Cornl. D. Evans Esqre Marshal
William Thomas Carroll Clerk.

Continuation being sent to the Court is opened.

On motion filed in the Court in this day by Mr Talbot it is ordered that Wm Thos M Jackson Esqre of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly—

On motion ordered to the Court on the behalf by Mr Hamlin it is ordered that Geo. N. Hardcastle Esqr of Pa. Ford, and John G Hardcastle Esqr of Brownsville be admitted to practice as Attorneys and Counsellors of this Court and they were accordingly sworn accordingly.—

Robert Forsyth. Plff in Er vs John Reynolds, Josiah S Wilson & John McClaugh	Error from the Circuit Court of the United States for the District of Illinois.—

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District Illinois and was argued by Counsel— On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with cost, and that this cause be and the same is hereby remanded to the said Circuit Court with instructions to dismiss the bill of complaint

of

without Jurisdiction to settle parts in proceeding
was Ejectment the suit at Law sought to be
enjoined by the Ps" as agreed to matter not
finally decided.

for Ps Suit Extinct.

Pompey Lewis et al vs Affirm & Caleb & Eaton.	The argument of this cause was continued by Mr Purdy Solicitor for the Defendants cross and concluded by Mr May for the Plaintiffs cross
Reuben & Clark vs Affirm & Noah & Raymond	This cause was argued by Mr Lemmon for the Plaintiff in error and by Mr Lahuff for the Defendant in error
Mary Ann Wall et al vs Affirm & Lewis of Polly Wall et al ———	This cause having been called for argument and no counsel appearing ready to proceed with the same, it is therefore ordered by the Court that this cause be and the same

is duly practiced to the part of the docket under the 36th rule of Court.—

Information being made the Court is adjourned until to-morrow morning at seven O'clock.—

Tuesday January 2nd the 1855th

Pursuant to adjournment the Court met this
morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	John A. Campbell	
	Benjamin R. Curtis	

Ordered that the Clerk do cause

[illegible]

[illegible]

Sunday February 14th it is continued 1874

Juries for the plaintiff in case

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock. —

Wednesday February 16th 1825.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John J. McLean	
	Thomas M. Wayne	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices.
	Robert C. Grier	
	Benjn. R. Curtis &	
	John A. Campbell.	

Josiah D. Pearce Esqr. Marshal
William Thomas Carroll Clerk.

Proclamation having been made the Court is opened.

On motion just made to the Court on this behalf by Wm. Elias S. Sherman it is ordered that Abraham S. Sherman Esqr. of New Jersey be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly —

Wednesday February 5th 1873 continued

Edwin Bartlett vs Tiffin et Corp. & Lewis —	The motion argued by Mayo Esqr & Court of Equity for the plaintiff in error.

and submitted on a printed argument by the Attorney General & Counsel for the defendant in error —

Proclamation being made the Court is adjourned until to-morrow morning at eleven O'clock —

Pursuant to adjournment the Court met this morning at the Capitol.—

Present.

The Commonwealth	Edmd. C. Gray John Mc Lean Saml. H. Moyne John Coleman Geo. T. Barnett Samuel Nelson Robert B. Crain Edmd. Bates John A. Campbell	Chief Justice Assoc. ite Justices.

Saml. D. Rowe Esqre. Marshal
William Thomas Commonwealth Clerk.

Proclamation being made the Court is opened.

A motion first made to the Court on this behalf by Mr. Rowe — it is ordered that Isaac A. Pitchlynn Esqre. of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.—

Scottish Economy Steam Navigation & Steam Power Co. vs. The Ship Jean & Pilot Factory

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court that this cause be and the same is hereby dismissed with costs.

Per Mr Justice Swayne.

Thomas Kenney, Thomas Jackson and Patterson vs. Benjamin F. Thomas, Isaac C. Blumberger & Benito M. Kenney — Appeal from

Isaac C. Taylor et al.

Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the

1821 February Term. In Error

transcript of the record from the Circuit Court of the United States for the District of New Jersey and was argued by counsel — On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Mr. Justice Nelson Dissenting. Mr. Justices M'Lean, Wayne & Baldwin —

William Livingston Thompson & Wife Plts	In Error from the Circuit Court of the United States for the District of Massachusetts
vs	
William W. Wadsworth, admr of William Wadsworth, late Senr & Walter Peters & Brooks and Jonathan Tyler —	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel — On consideration whereof — it is now here ordered, adjudged and decreed by this Court that

the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court—

per Mr Justice Daniel

Hamilton Livingston & al vs Sally Lobdell	On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Southern District of Mississippi—

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi and on the question or point on which the Judges of the said Circuit Court were opposed in opinion and which was certified to this Court for its opinion agreeably to the acts of Congress in such case made and provided and was argued by counsel— On consideration

reversed, it is the opinion of this Court that the plea pleaded by the defendant is not a good & sufficient bar to the plaintiff's action, and that the demurrer of the plaintiff should be sustained. Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

Feb. 1822. Mr. Justice Duvall

Andrew Wylie Jr. admr. of Samuel Anderson dec'd.

vs

Richard S. Coxe.

In error from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by counsel. On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid, & the same rate for damages that considers

Thursday February 4th 1830 continued

Court now in the recess of the District of Columbia.

Pr Mr Sus Mr Lean

Archibald Russell. Plff in Er vs The executors of the Estate of Henry Bentzing	Error to the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court record in this cause be and the same is hereby affirmed with costs.

Pr Mr Chief Jus. Taney

Tuesday February the 2nd

John L Hays Plt

v

William Davidson Exors.

Dft

The argument of this cause was commenced by Mr Brundy Johnson be for

Exclamation being made the Court is adjourned until to-morrow morning at three Oclock.

Friday February 17th 1854

Pursuant to adjournment the Board met this morning at the Capitol

Present.

The Board	Edgar P. Young	Chief Justice
	John McClean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjn R. Curtis Jr	
	John A. Campbell	

Jacob D Beaver Esquire Marshal
William Thomas Assistant Clerk

Examination being made the Court is opened.

On motion first made to the Court in this behalf by Mr Kennedy Solicitor it is ordered that Allen D. Fraser Esquire of Pittsburgh be admitted to practice as an Attorney and Counsellor of this Court and he was accordingly

Friday February 9th 1855 continued

Lewis Lewis — Appt vs David Myers	Mr Lawrence having suggested the death of Lewis the Appellant in this cause and having filed Letters Testamentary & Probate from Executor and William Pickens Executor of the said Lewis Lewis deceased, moved the Court for leave to the said Executors to enter their appearance & Appellants with leave to prosecute this Appeal — On consideration whereof it is now ordered by the Court that the Appearance of the said Executors Lewis and William Pickens, the executors and executor of Lewis Lewis dec'd be entered on the roads and that they be and hereby are made the Appellants in this cause with liberty to prosecute this Appeal —

Thomas Ringgold vs Thomas Bowers	This cause having been called for argument and no counsel ready to proceed with the same — It is therefore now ordered by the Court that this cause be and the same is hereby dismissed to the cost of the Appellant under the 30th rule of Court.

Friday February 9th 1855 continued

Circuit Court of Cook County	This cause was argued by Mr Talbot for the plaintiff in error and submitted on a printed argument by Mr Benjamin for the plaintiff in error
John B. Hogan vs Adolphus Wm Bowlsby Exrs.	The argument of this cause was continued by Mr. Badger of Counsel for the appellees as contained by Mr Tenney Selected for the appellants.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock

Monday February 2nd 1835

Court to adjourn until the Court met this morning at the Capitol.

Present.

The Honble Roger B Taney Chief Justice

John McLean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Robt B Grier
Levi Woodbury
John A Campbell

Associate Justices.

Joseph T Brown Esqre Marshal
William Thomas Barnes Clerk

Proclamation being made the Court is opened.

On motion made to the Court in this behalf by Mr Lawrence it is ordered that William Gray and Robert J Toms Esquires be admitted to practice as Attorneys and Counsellors of this Court and they are severally sworn accordingly.

Lumbers Assgt vs Griffin & Others Ab Error to	This cause was argued by Mr Lumbard of Counsel for the plaintiff in error and submitted on a printed argument by Mr Wirt in behalf of the defendants in error.

Barbour Thatcher Lewis Griffin &c vs Thornton Smith & al	This cause was argued by Mr Barbour of Counsel for the defendant in error and submitted on a printed argument by Mr Dyer in behalf of the plaintiff in error —

Isaac Covington vs Griffin &c Lyman Gibson	This cause was argued by Mr Lumbard of Counsel for the plaintiff in error and submitted on a printed argument by Messrs Dillon and Finch in behalf of the defendant in error. —

May Monday February 8th 1858 continued

John Hood Jeffers &	Ex rel to the Circuit
vs	Court of the United
Isaac N. Whitted.	States for the District
	of Maryland

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and on the motion of the Solicitor of Counsel for the plaintiff in error, stating that the matters in controversy in this cause had been agreed and settled between the parties — It was therefore ordered and adjudged by this Court that this cause be and the same is hereby dismissed

per Mr Ch. Jus. Taney

Proclamation having made the Court is adjourned until to morrow morning at eleven o'clock —

Argument in reference to the testimony of the United

States

The Remarks	Roger B Taney	Chief Justice
	John McLean	
	Joseph Story	
	John Nelson	Associate
	Wm Thompson	Justices
	Samuel Wilkeson	
	John McKinley	
	Roger B Taney Jr	
	John A Campbell	

Samuel D Ingham Esqr Marshal

William Thomas Carroll Clerk

Gentlemen having read the Court argument

Blood Argument of	Was argued by Mr
Mr Attorney	Taney Solicitor
for the United States	for the appellees

and submitted on a printed argument by the Gentlemen on behalf of the appellees

Friday February 2nd 1855 continued

Wm Edwards Exrs &c vs Jeffries Ex &c Wm Central Railway Co	The cause coming on to be heard before the Court upon the original & supplemental bill & answers thereto & upon the replications to the answers & upon the evidence taken in the cause & upon the arguments of Mr Hibbert for the plaintiffs & of Mr Swanston for the defendants & the Court having taken time to consider of its judgment this cause coming on this day for judgment before the Court in the presence of Counsel for all parties as well the plaintiffs as the defendants & the Court having taken time to consider of its judgment &

Present to Hon. Chief Justice Taney and the Associate Justices this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
	John M. Wayne	
	Robert C. Grier	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Levi Woodbury	
	Benjamin R. Curtis	
	John A. Campbell	

Samuel D. Hoare Esquire Marshal
William Thomas Carroll Clerk

Information being given to the Court as follows

Benjamin R. Curtis	has been to the Supreme
a Citizen of	Court of the United
Massachusetts	States for the Southern
	District of New York

It was ordered to be entered on the Minutes of the Court from the Supreme Court of the United States

for the Eastern District of New York and was argued by Counsel — On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Nelson.

Milton Morgan Plaintiff in Error & Lemuel J. Hinman & John Sillon Defendants.	In error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by Counsel — On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs —

per Mr Justice McLean

Wednesday February 2nd 1870 Continued

Cornelius Vanderbilt vs Lahen M. Martin.	The Law of Counsel for the plaintiff in error having on a prior day of the present term filed a notice and motion in the words and figures following to wit;

"Sir— Please to take notice that a motion will be made to the Supreme Court on Friday the seventeenth day of February instant at the Capitol in the City of Washington, at the opening of the Court on that day, or as soon thereafter as counsel can be heard that the judgment entered in this cause on the tenth day of January last last be reversed and annulled, so as not only to annul with costs the judgment of the Superior Court of the City of New York but also to reverse with costs the judgment of the Court of Appeals of the State of New York in this cause and also to direct that the plaintiff in error have full restitution of all things entered in both said by occasion of the reversed

judgment as for such other order or judgment as to the Court shall seem just—

Dated February 2 1842

Yours &c

Att'y for Plaintiff in the

John M. Martin, Esquire

Defendant in error

It is thereupon now here ordered by the Court, on consideration thereof, that the said motion be and the same is hereby overruled.—

Jonathan Emmons vs John M. Martin	Mr Martin the defendant in error having on a former day of the present term moved the Court for an order directing an argument of the cause & it is on consideration thereof now here ordered by the Court that said motion be and the same is hereby overruled.—

Samuel Bernard Lunt vs Hester Libby Lunt et al	Bill Rule of Court for the Substitute Coming filed and read in open Court a Supersedeas of a Commission of the record in this cause in the words and figures following to wit:

"That the Clerk of said District Court of the United States for the Eastern District of Missouri do forthwith and commanded to safely keep and preserve in the transcript of the record and proceedings of this cause, and to send up herewith as part thereof, the following papers, documents and evidences of record, and forming part of the record and proceedings below of said cause, to wit: Exhibit "A" of and original Bill of Complaint filed in said Court below as part of said Bill, and true copy of Witness Tablet to the South east fractional quarter of Section Twenty eight in Township Forty eight North of Range Four west as made before and presented to the register and Receiver

of the Land Office at Fargo Dakota on the 4th day of December 1882 consisting of the affidavit of said William Babcock and of Samuel E. Lewis and Abel Tiber, and of the signatures of said Register and Receiver and their statement that said proof was satisfactory, Lewis endorsed: and also Exhibit B of said amended Bill of Complaint, Plea in said Court below is part of said Bill, and then remaining being the fee exemption proof of John F Harrison to the north east quarter of Section Seventy-two in the said Township and Range as made before and forwarded to the said Register and Receiver on the said 4th day of December 1882 consisting of the affidavits of said John F Harrison, and of Edward Dougherty and William Tiffin, and of the officers certificates thereto annexed, and of the signatures of said Register and Receiver and their statement that said proof was satisfactory, Lewis endorsed: which said papers and documents were before said Court below at the hearing and were read as part of the pleadings and evidence in the cause, and whereupon, and upon all the pleadings and evidence the said

case was heard; and the same are submitted and subscribed to the consideration and decision of these cases in this Court."

By reason of which omissions and errors aforesaid the said record can not be said the Court to award a writ of certiorari to be directed to the Judges of the said Circuit Court requiring them that touching the records and proceedings of said Court in the said cause they shall certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found.

In consideration whereof it is now ordered and decreed by this Court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Circuit Court commanding them to certify under the seal of the said Circuit Court whatever omissions and errors shall be found in the said cause and return the same with this writ of certiorari forthwith to this Court.

Per the Clerk. Entry—

Edward H McCabe vs Liff in Es Lloyd D Worthington	The cause was argued by Mr Hoyer of Counsel for the Plaintiff in error and submitted on a printed argument by Mr Wells on behalf of the Defendant in error.
Auguste F Delaunier vs Liff in Es Thomas Emerson	The cause was argued by Mr Hoyer of Counsel for the Defendant in error and submitted on a printed argument by Mr Wells on behalf of the Plaintiff in error.
Isaac H Bissell vs Liff in Es Isaac & Grace H Bissell	The argument of this cause was commenced by Mr McAlester of Counsel for the Plaintiff in error.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.—

Counsel to appear on the part of the Court on the morning of the 1st Inst.

Present.

The Honorable	Roger B Taney	Chief Justice
	Joshua. McLean	
	[illegible]	
	[illegible]	Associate
	Peter V. Daniel	Justices.
	[illegible]	
	Robert C Grier	
	[illegible]	
	[illegible]	

Henry D. Beam Esqre. Marshal
W. Thomas Thomas Esqre. Clerk

Application being made to the Court as stated

The motion first made to the Court in behalf of Mr. Brooks Johnson & ordered that Sidney M. Crandall Esqre of New York be admitted to practice as Attorney and Counsellor of this Court and he was sworn accordingly.

Monday February 21st 1820 continued

Benj. Stevens Comm. of Comm. v. Sterling Thomas & Wm. Gibson & Wife & Jos. H. Stull	In error to the Circuit Court of the United States for the District of Maryland

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel — On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate for manner that similar judgments have in the courts of the State of Maryland —

per Mr Justice Duvall

Benj. Stanton v. Wm. Gibson & Edward Mahony	In error to the District Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana and

was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs

per. Mr. Justice Wayne

80	Jesse H. Leach Plff in Error vs Peter A. Augustus Leach	The argument of this cause was continued by Mr. Ellsworth for the defendant in error

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Continuance being made the Court is now adjourned to meet on Friday next at 11 o'clock

Term of Chancery Court

Court to open at the Court House

morning at the Capitol.

Present.

The Honble.	Roger Nelson	Chf. Justice
	John Catron	
	Samuel H. Wyne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjamin Curtis	
	John A. Campbell	

Samuel D. Ingham Esqr. Marshal

William Thomas Carroll Clerk.

Court adjourned.

On motion Jesse Wm. Carter was admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Geo. H. Burnell Office &c = Estate of Thos. H. Burnell dec'd.	The argument of the cause was continued by Mr. Solomon for the defendant in error and concluded by Mr. Alexander for the plaintiff in error. —

Solomon Reeder et al = Solon Reeder et al	Mr Hunter of Counsel for the defendants moved the Court for a stay of the proceedings in this cause until the adjourned term — Whereupon this Court not being sufficiently advised of and concerning what order to make in the premises took time to consider. —

Henry Shaitow = Estate Delany	Mr Remedy Solicitor of Counsel for the plaintiff in error moved the Court for leave to withdraw from the files in this cause the original petition. Whereupon this Court not being now sufficiently advised of and concerning what order

Friday February 21st continued

to render in their favorites took leave to withdraw

Proclamation being made the Court is adjourned until Monday morning at eleven Oclock

Monday February 3rd 1840

Court met pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	Roger B. Taney	Chief Justice
	John M. Mclean.	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benja. R. Curtis	
	John A. Campbell	

Josiah D. Hoover Esquire Counsellor

William Thomas Carroll Clerk

Certain motions & arguments to be heard & decided

Per motion first made to the Court this day by Mr. T. S. Wilson it is ordered that A. P. Hughes Esquire of the City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

No. 1892 Eckerson et al vs. continued

In Equity	Appeal from the
Wm. Vaught et al	Circuit Court of
vs	the United States
Defts.	for the Eastern
Wm. Murdock et al Trustees of	District of Louisiana
Wm. Vaught et al	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to that Court to dismiss the bill of the Complainants with costs in that Court.

per Mr Justice Brayton

Asher B Sage Appt vs William R. Lowe & Robt J Brandon Exrs of Wm Brandon Dec'd	Appeal from the District Court of the United States for the Northern District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Ala and was argued by counsel On consideration whereof, it is ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs

Jas. M. Wayne Ass. Justice

Lewis Blandy Appellant vs Officers of the Pennsylvania Railroad Company	In error to the Supreme Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the

Tuesday February 20th 1872 continued

Circuit Court of the United States for the Western District of Pennsylvania and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Grier.

Pauline Westerman Carman vs. for the use of John M. Lovett's Assignees. Appeal from the Circuit Court of the United States for the Middle District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Alabama and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Nelson.

Docket of Error and Appeal returned

Nathan D. Bernard
vs
Wm. A. Griffin et al
Bernard Griffin

In error to the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

for Mr. Just. McLean

Augustus Bernard, Louis Bernard, Lyonette Bernard, Mary Bernard & Emma Bernard, Petitioners for Partition and Sale of Real Estate, Eastern District of Louisiana

Thomas Griffiths Easton and Reynolds Fairweather and Co a Copartnership Appellees

vs

Thomas Griffiths

Appeal from the Circuit Court of the United States for the District of Delaware.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Delaware and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Peckham

E. A. and R. Fairweather Co Appellees vs Thomas H Ewing Appellee Error to Delaware	Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

The case was argued by Counsel on the part of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel on consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Present Mr Ch Jus Taney.

Returned & Docketed	The case having been
50	this cause was argued
Solon Fiske et al.	by Counsel on the motion
	and on consideration
	thereof it was ordered by the
	Court that the decree of the
	said Circuit Court in this
	cause be and the same is hereby affirmed
	with costs.

Proclamation being made the Court was adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met
this day at the Capitol

Present

The Honorable	Edgar S. Cabell	Chief Justice
	John J. Allen	
	John Robertson	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Benjn R. Curtis &	
	John A. Campbell	

Josiah D. Keene Esquire Marshal
William Thomas Randolph Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this
behalf by Mr. Attorney General Bocking
it is ordered that Virginius D. Long Esquire
be admitted to practice as an
Attorney and Counsellor of this Court and
he was sworn accordingly. —

On motion first made to the Court in
this behalf by Mr. Pleasants it is ordered

Chief Supreme Court John Forster and Luther S Hill Esquires of New York were admitted to practice as Attorney and Counsellors of this Court and they were severally sworn accordingly

Geo. H Read Jeffers vs 87 Order of Charge Withdrawn Ex parte Harriet Read John H. Martin and Emma his wife and John Read & Mary his wife.	Mr Johnson having suggested the death of the plaintiff in error, Geo. H. Read moved the Court that the petition of the heirs of William Worth- ington, Emma Worthington, Sarah M. Worthington and William L. D. Worth- ington be entered and that they be made the plaintiff in error — On the motion ordered, it was that be entered by the Court that the petition of the said heirs William Worthington, Emma Worthington Sarah M Worthington and William L. D Worthington be entered and that they be and hereby are made the

Dec'r — Appeal from Circuit Court for Montgomery County

William Worthington, Benj. Worthington, Lucy H. Worthington and Mary [illegible] Worthington Executors of Isaac Bussell dec'd pltffs in Er.

vs

Isaac of Isaac H. Bussell, Eliz. Bussell, Isabel Bussell, Charles H. Bussell, John H. Watkins & Francis his wife & John Ford and Mary his wife

In Error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Curtis.

Isaac Pennington vs Wm. Coleman Lyman Colman.	Error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel On consideration whereof it is the opinion of this Court and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest to be paid, at the same rate per annum that similar judgments bear in the Courts of the State of Maryland.

Jno. M. Lus. Daniel.

Edward B. Mc Kinstry vs Lloyd N. Worthington	Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme

Wednesday. October 4th 1893 continued

Court of Louisiana and was argued by counsel. In consideration whereof it is ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Harlan.

Augustin F. Delaunay
vs
Alfred E. Thomas Edison

In error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs

per Mr Justice McKenna.

Lemuel Rugg — Plaintiff in Error.

vs.

John H. Ely & Thomas Rugg Jr. Lemuel Rugg, Thomas Rugg & Lemuel Rugg 3d Partners under the Firm of Lemuel Rugg & Sons & Lemuel Rugg, Lucius M. Sumner, Jesse W. Ely, John A. Bruyton, John Watson, Lewis Sackett and Samuel H. Drummond.

In error to the Supreme Court of the State of Missouri —

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and was argued by Counsel — On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

J. M. Wells Clk Sup. Court.

Wednesday March 1st continued

Conversation being made the House
adjourned until the first Monday of
April next at twelve Oclock

Pursuant to adjournment the Court met this Day at the Capitol.

Present

The Hon.ble	Jay C. Jay	Chief Justice
	Wm. H. Wayne	
	John Patton	Associate
	Peter V. Daniel	Justices
	Samuel Peters	
	Jay A. Cutler	
	John A. Campbell	

Saml. D Weaver Esquire Marshal
William Jones Bowell Clerk

Proclamation being made the Court opened

On motion first made to the Court on the behalf of Mr Cutler it is ordered that Wm A Campbell Esqre of South Carolina be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on the behalf of the Attorney General Mr

It is ordered that A. A. Hall Esquire of Washington may be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly —

On motion it is ordered to the Court in this behalf by Mr. H. D. Lord it is ordered that Lewis Squire Steele Esquire of California be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly —

The Mechanics Manufacturers Insurance & Life Insurance Company vs Plff in Er William F. Fire —	In error to the Circuit Court of the United States for the District of Maryland.

This cause coming on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and on the motion of Mr. Perkins of counsel for the defendant in error, and with the assent of Mr. Bryce of counsel for the plaintiff in error, stating that the matters in controversy in this cause had been

against and settled between the parties & it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed.—

per Mr Ch Just Taney.

The United States Plff vs John F Lacey.—	The Attorney General Rushing, leaving filed a suggestion in writing that the defendant in this cause had been pardoned by the President of the United States, moved the Court to dismiss this cause whereupon this Court not being now fully sufficiently advised of and concerning what order to make herein on the premises took time to consider.

William A Smith et al vs Lacey Swormstedt et al.	Mr Ewing of counsel for the appellants moved the Court for an extension of time, within which to file briefs for the argument of this cause on which

Mr Stanbery of counsel for the defendants
moved. In consideration whereof, it is ordered by the court that two days be
and the same are hereby allowed to the
counsel on each side for the argument of
this cause.

Continuation being granted the Court adjourn-
d until to-morrow morning at eleven o'clock.

Tuesday April 2nd 1850

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	James M. Wayne	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benjamin R. Curtis	
	John A. Campbell	

James H. Peaco Esqr. Marshal
Witness. Daniel Smith Clerk

Proclamation being made the Court was opened

William A. Smith et al vs Appts Lucy Brent et al	The argument of this cause was commenced by Mr Stanbery

for the Appts

Proclamation being made the Court is adjourned until to morrow morning at seven o'clock

Wednesday March 2nd 1836

Court to adjournment the Court met
the Marshal of the United
States

Present

The Honorable	Roger B. Taney	Chief Justice
	James M. Wayne	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benjn. C. Curtis	
	John A. Campbell	

Edward D. Evans Esquire Marshal
William Cranch Orcutt Clerk

Proclamation being made the Court is opened

Motion for it was made to the Court on the
part of the Petitioner it is ordered that
Peter Parker Esquire of Massachusetts be ad-
mitted to practice as an Attorney and Coun-
sellor of this Court and he was duly accordingly

Wednesday. Dec. 1st 1852. continued

The United States. Appt vs John F. Leavy.	In a certificate of division of opinion between the Judges of the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky and on the point or question on which the Judges of the said Circuit Court were opposed in opinion and which was certified to this Court for its opinion agreeable to the acts of Congress in such case made and provided, and the Attorney General having suggested to the Court that said J. Leavy has been pardoned by the President, & is unwilling to have the question on which the Judges of the Circuit Court were divided in opinion, and which has been certified to this Court, tried, & the case is therefore remanded to the Circuit Court.

Opt. Wm. Blk. Sec. Treas.

Wednesday. April 4th 1866 continued

William S. Smith et al
vs
Hyde
Lucy Swarnstedt et al.

The argument of this cause was continued by Mr. Pope for the defendant.

Execution being made to the court adjourned until to-morrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the usual hour

Present

The Honorable	Roger B Taney	Chief Justice
	Peter V Daniel	Associate
	John Catron	Justices
	John McKinley	
	Samuel Nelson	
	Robert C Grier	
	Benjn R Curtis	
	John Campbell	

Samuel D Hayes Esquire Marshal
William Paine Marshall Dist

Motion being made the Court is opened

On motion filed made to the Court in this behalf by Mr Stanbery it is ordered that Hugh Lennox Esquire of Ohio be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court
the Sheriff by the County Solicitor of
a certificate that John D. Coles Esquire
of New York be admitted to practice as
an Attorney and Counsellor of this Court
and he was sworn accordingly.—

William A. Smith et al. vs Appts Levy Swormstedt et al	The argument of this cause was continued by the Court.

for the appellees.—

Proclamation being made the Court is
adjourned until to-morrow morning at
eleven o'clock.

Tuesday, March 2nd

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
	Smith Thompson	
	John McLean	
	Peter V. Daniel	Associate
	Joseph Story	Justices
	Robert C. Grier	
	Benjamin R. Curtis	
	John Campbell	

James D. Hoban Esqr. Marshal
William Thomas Carroll Clerk

Proclamation having been made the Court is opened.

William S. Garth et al	The argument
vs.	of this cause was
Isaac Cruikshank et al	concluded by
	the Attorneys

for the Appellants

Proclamation being made the Court is adjourned until ten o'clock tomorrow morning when Court

Present the Honourable the Chief Justice
and the rest of the Judges

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Robert C. Grier
Levi Woodbury
John Campbell

Joseph Reese Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court on the behalf of Mr Mayo it is ordered that A. J. Marsh Esquire of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly —

81. The Ins. Co. of N. State
vs
Hyde Adams & al

In the matter of Mr Burton of counsel for the defendant and in the absence of the counsel for the appellees — it is ordered by the Court that this cause be and this same is hereby continued to the next term of this Court. —

142 Sylv. Graham admr
vs
Jos. Gales
Robt. Peace Exor

The argument of the motion to dismiss this appeal was commenced by Mr Graham in support thereof and by Mr Gales & Mr Peace in opposition thereto and concluded by Mr Graham in support of the motion

The hour having arrived the Court is adjourned until 9 o'clock tomorrow morning

1th 1854.

Tuesday. 7

Court met

Justices

Sheriff

Marshal

Clerk

Attorneys

Justices.

Sentence de
pounds until to
Oclock.

requirement of this
hereunto annexed by
charge of Counsel for
Plaintiff in error
Criminal Business

Present at the organization of the Court at their session at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	Associate
	James M. Wayne	Justices
	John Catron	
	Peter V. Daniel	
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis	
	John A. Campbell	

James S. Mason Esquire Attorney
William Hamsel Crandle Clerk

Proclamation being made the Court is open.

On motion it is ordered by the Court that
Edward Bates Esquire of Missouri be
admitted to practice as an Attorney and
Counsellor of this Court and he was sworn
accordingly.

Wednesday first Day of Term continued

On motion first made to the Court on the behalf of Mr Stevens it is ordered that Joseph S. Leigh and Ezekiel Worthington Esquires of the Bar of this State be admitted Attorneys and Counsellors of this Court and they were severally sworn accordingly.

On motion first made to the Court in this behalf by Mr Stevens it is ordered that Israel Washburn Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly —

The Essex Bank of Vermont vs Jeffries & Joseph A. Bradley.	The argument of this cause was conducted by the Honorable Solomon of Counsel for the plaintiffs in error.

Israel W. Seymour came in at the Bar of this Court vs Defendt. William Tyson Esqr.	On the motion of the Counsel for the defendant it is now Ordered

Wednesday, April 9th 1851 continued

ordered by the Court that this cause be and the same is hereby continued to the next term.

Neal Benson Plff in Er. vs Francis Schatt & Margaret Schatt, his wife —	In error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and the plaintiff in error having been three times solemnly called by the Marshal to come in to court and prosecute their writ of error and having failed so to do. It is therupon on the motion of Mr. Sherwood of Counsel for the defendants in error, ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs.

Per Mr. Ch. Jus. Taney.

83	Shuanshe A. Marshall vs. Wm. M. Ed. The Potomac and Ohio Railroad Company.	The argument of this cause was com- menced by Mr. H. W. Davis of Counsel for the

Plaintiff in Error.

Thereupon Mr. Chapman for the Defendant
objected to the reading of the
Record. —

Thursday April 13th 1854

Pursuant to adjournment the Court met this morning at the Capitol.

Present

Hon. Edmund Pendleton	Roger B. Taney	Chief Justice
	John McLean	
	Henry Baldwin	
	James M. Wayne	
	John Catron	
	Peter V. Daniel	
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis	
	John A. Campbell	

Samuel D. Hoover Esqr. Marshal
William Thomas Crier Clerk

Examination being made the Court is opened.

Edmund P. Marshall vs Jeffrey et al Executors and Trustees Appeal Baltimore	The argument of this cause was entered by Mayer Latrobe & Purvey Johnson of Counsel for the defendants in error

Examination being made the Court is adjourned

meeting at the baptistal

	Sabin Bateman
	Peter P. Dewick
	Samuel Tilson
	Robert B. Lewis
	Benja C. Butler
	[illegible]

Associate
Justices

[illegible]

Parliamentary being made the Question thereof.

[illegible]	[illegible]
[illegible]	[illegible]

Washington A Emmett vs Joseph Andrew M. Hotta	The argument of this cause was commenced by Mr Kimball of counsel for the appellant.

(The Law Porter having two of counsel [illegible] not sit in this case)—

Proclamation being made the Court was adjourned until monday morning at eleven o'clock.—

Ordered to adjourn until the Court in the morning at the Capitol. —

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Joseph Story	
	Smith Thompson	
	Henry Baldwin	

Samuel D. Harris Esquire Marshal
William Thomas Carroll Clerk.

On motion first made to the Court on the behalf of Mr Lawrence it is ordered that Henry D. Gilpin Esquire and Walter Jones Esquire of Washington be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly. —

The County for the relief of destitute Orphan Boys Appts 168 vs Wm Murdock & others Exors of John McCaughy dec'd and The Mayor Aldermen and Inhabitants of New Orleans and the Exors of John McCaughy 169 dec'd vs Appts Wm Murdock & others Exors of John McCaughy dec'd	Appeals from the Circuit Court of the United States for the Eastern District of Louisiana.

These are Appeals by redundant defendants from a decree of the Circuit Court of the United States for the Eastern District of Louisiana for which there was also an appeal by all the defendants. The appeal was heard in that Court upon the record docketed as No 48. of this term.

The separate Appeals were unnecessary and the docketing of them as separate and distinct cases irregular. The papers should have been filed with the cause which has been docketed. The proper entry will be to strike the title and

from the docket as separate cases and all the papers which made a part of the separate files will be placed with this case No 248.

Mr Sur. Campbell.

Washington F Prentiss vs Joshua W Scott	The argument of this cause was continued by Mr Prentiss and Mr Hite for the appellee and by Mr Campbell for the Appellant.— (Mr Sur Curtis having been of counsel did not sit in this cause).

Recess until the hour of 11 o'clock A.M.

Court met pursuant to the recess and is adjourned until to-morrow morning at 11 o'clock.—

Tuesday April 16th 1861

Pursuant to adjournment this Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C Grier	
	Benjn R Curtis	
	John A Campbell	

Saml A Foote Esqr Marshal
William Thomas Smith Clerk

Proclamation being made the Court opened

On motion first made to the Court that leave be given the Defendant to withdraw his Plea heretofore entered and that leave be granted to him to move or demur to the Declaration and the same accordingly.

Tuesday April 9th 1850 continued

Washington S. Bennett vs Biff en Et Sedan H. Scott	The argument of this cause was concluded by Mr Campbell of Counsel for the plaintiff in error

Fitzhugh Home Biff en Et vs Jorge L Crow	The argument of this cause was commenced by Mr Chandler of counsel for the plaintiff in error and continued by Mr Lawrence of counsel for the defendant in error. (Mr Justice Curtis having been of counsel did not sit in this cause)

Court adjourned until to-morrow morning at eleven o'clock.

Wednesday. 4th September

Present to represent the Court and Attorney of the Capital.

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj. R. Curtis	
	John A. Campbell	

Samuel D. Hayne Esquire Marshal
William Thomas Carroll, Clerk.

Ordered that the Court be opened.

Benj. Perry Brune vs Jeff. on the Corp. of Cincinnati	The argument of the writ of error returned by the Clerk of counsel for the defendant in error and concluded by the Attorney for the plaintiff in error.

The Ord. Curtis having been of counsel

Washington Term of the Circuit Court

did not sit in this cause.)

The Bank of the State Bank of Ohio vs Hoffman & Lee Executors &c	The argument of this cause was commenced by Mr Pinkney of counsel for the plaintiffs in error.

Declaration being made the Court will adjourn until to-morrow morning at eleven o'clock.

Thursday April 20th 1837

Pursuant to adjournment the Court met this morning at the usual hour.

Present

The Honorable Roger B. Taney Chief Justice

Henry Baldwin
Joseph McLean
John Catron
Peter V. Daniel
Samuel Nelson
Robert C. Grier
John A. Campbell

Associate Justices.

Joseph D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Motion being made the Court is pleased

Our motion first made to the Court in this behalf by Mr Fleming it is ordered that Charles Lowndes Esquire of Washington City be admitted to practice upon the Bar and Counsellors of this Court and he was accordingly so.

Thursday 22nd of the appointment

The Upper Canada of the State Bank of Ohio Office } vs	The appearance of the said parties maintained by Mr Jesse Hawkins and Eight for the Defendants &c

By

Parliament being under the hands of the general until to morrow morning at eleven o'clock —

Friday April 21st 1844.

Pursuant to adjournment the Court met this morning at the Capitol. —

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	Joseph H. Wayne	
	John Catron	Associate
	John McKinley	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjn R. Curtis Esq	
	John A Campbell	

Lewis E. Beaver Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

The Supreme Court of the State of Ohio —	The argument of this cause was commenced by the Attorney of Counsel for the plaintiff in error.
vs Miffin et al	
And Appeal Supersedeas &c	

Friday. April 26th 1834

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Justices	Roger B. Taney	Chief Justice.
	John McLean	
	Joseph M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson.	
	Robert C. Grier	
	Benjn R. Curtis	
	John A. Campbell.	

Joseph D. Evans Esquire Marshal
William Thomas Carroll. Clerk.

Proclamation being made the Court is opened

No. The Life Insurance and Trust Company. Plff in Er	The argument of this cause was continued by Mr. Pugh and Mr. Key for the defendant in error and concluded
Benj. Elliott Executor &c	by Mr. Sterling for the plaintiff in error.

Proclamation being made the Court is adjourned

Tuesday April 25th 1854.

Court to adjournment this Court met this
morning at the Court House

Present.

His Honor	Jesse D. Turney	Chief Justice
	John McLean	
	Isaac N. Morris	
	Peter Burnett	Associate
	Peter H Daniels	Justices
	[illegible]	
	[illegible]	
	[illegible]	
	[illegible]	

Isaac L. Bacon Esquire Marshal
[illegible]

Court to come into the Court House

On motion Ordered to the Court on the behalf by Mr Elliott it is ordered that E. E. Eastley Esquire of San Francisco be entitled to practice as an Attorney and Counsellor of this Court and Law upon accordingly.—

On motion Ordered to the Court on the behalf by Mr Elliott it is ordered that E. E. Eastley Esquire of San Francisco be entitled to practice as an Attorney and Counsellor of this Court and Law upon accordingly.—

1857 Tuesday April 28th 1857 continued

Our motion first made to the Court in this behalf by Mr Lowe it is ordered that J. F. B. Wood Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and his name accordingly —

Williams & Smith et al vs 82. Levey Summerfield et al.	Appeal from the Circuit Court of the United States for the District

of Ohio —

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Ohio, and was argued by Counsel — On consideration whereof, it is ordered, adjudged and decreed by this Court that the decree of said Circuit Court in this cause be and the same is hereby reversed and annulled — and this Court doth further find, adjudge and decree —

1. That under the constitution of the general Government of the United States and Ordinance for the Government of the Territory of North Western of the United States, according

to the usages and discipline of said Church
passed on the eighth day of June in the year
of our Lord one thousand eight hundred
and forty four (in the following words viz)
It was among other things, voted in favor of the
Power of the said General Conference, under
and pursuant to the Constitution of the
United States of America, at the time existing, that
in case the General Conference in the
Slave Holding States should fail or
refuse to make an equitable provision
for said coloured Episcopacy, that
the Annual Conferences and Missionary
Stations in the Slave Holding States
should have a delegated General Conference power
to do it themselves, without
2. That the said annual conferences
in the Slave Holding States shall
each determine for itself whether
such action is necessary to meet the
wishes of the coloured members
in the Slave Holding States, and
if a majority of the whole number
of such annual conferences shall
decide affirmatively on the

ing the bottoms and entire morals and
ecclesiastical rules and regulations of
the said Ecclesiastical Conference, (except only as to
so much of the said rules and regulations as might be neces-
sary to or for a distinct organization
which new ecclesiastical connexion was to
be known by the name and style of the
Methodist Episcopal Church South,
and that the Methodist Episcopal Church
in the said organized, under and with the powers
of the said general conference, and the said
discipline of said general conferences hitherto
used, in a convention thereof held at Louis-
ville in the State of Kentucky on the month
of May in the year of our Lord one thousand
eight hundred and forty five.-

3.- That by force of the said resolutions
of the eighth section hundred and
forty four, and of the rights and powers
of the said general Conference of the
Methodist Episcopal Church at the
several times by which the same were adopted,
and by virtue of the proceedings and determi-
nations of the said General conferences in
the above recited, stated therein mentioned,

and by virtue of the organization of said
regiment into a distinct military com-
mand as left aforesaid, the colonel com-
manding the United States forces
in the United States of America and
in the field, and invested with the
powers of a brigadier general
by the laws of war, and in pursuance
of instructions from the War Department
of the United States, is hereby
authorized to muster into the service of the
United States for the period of two years,
unless sooner discharged, one company of
cavalry, to be composed of the following
officers, viz: One captain, one first lieutenant,
one second lieutenant, four sergeants, four
corporals, two musicians, and one hundred
privates, to be enlisted within the limits
of the Territory of Arizona, and to be
designated as the Arizona Rangers.

That the said company shall be
mustered into the United States service
at such time and place within the Territory
of Arizona as the commanding general
of the Department of California may
direct, and shall be entitled to the same
pay and allowances as other companies
of cavalry in the service of the United States.

That the said company shall be
organized as follows: One captain, one first
lieutenant, one second lieutenant, four
sergeants, four corporals, two musicians,
and one hundred privates, to be enlisted
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of the Department of California may
direct, and shall be entitled to the same
pay and allowances as other companies
of cavalry in the service of the United States.

That the said company shall be
organized as follows: One captain, one first
lieutenant, one second lieutenant, four
sergeants, four corporals, two musicians,
and one hundred privates, to be enlisted
within the limits of the Territory of Arizona
and to be designated as the Arizona Rangers.

that the said funds were property are held under the act of incorporation in the said answer mentioned by the said defendants to be by them held & taken & were & are parts of said Book Concern, and in trust for the purposes thereof.—

And that in action of the said Conference of said Methodist Episcopal Church in the United States, the deficient, traveling, superannuated, superannuated and worn out preachers, their wives, widows and children, respectively, as in connexion with the Methodist Episcopal Church South, were, are, and continue to be beneficiaries of the said Book Concern to the same extent and as fully as if the said division had not taken place— and in the same manner and degree as persons of the same description who are embodied in, or in connexion with the other associations incorporated under the direction of the Methodist Episcopal Church, and that as well the principal as the profits of said Book Concern, were and should of right be administered and managed by the respective

Land and Land Improvement of the said
Lot in which such Church may be situate
against Fire, and insuring the
Fire in Respect of the same in
after mentioned, and in such
sum and discipline of said respective
Associations, so as to carry out the purposes
and trusts aforesaid.—

6. That so much of the Capital and
Income of said Board Committee re-
mainder, wherever situate, and so much
of the funded and profit thereof as may
not have been heretofore accounted for to
said Church South in the Mon Church
case Committee aforesaid, or otherwise
shall be paid to said Church South,

1st Episcopal Church before the division shall be fixed and ascertained as they are shown by the minutes of the annual conferences next preceding the said division and new organization in the month of May A D Eighteen hundred and forty five —

2nd in respect to the funds or profits such share or part as the number of annual conferences which formed themselves into the Methodist Episcopal Church South bear, at the time of said division in May A D 1845 to the whole number of annual conferences then being in the Methodist Episcopal Church, including the Liberia Conference — so that the division or apportionment of said funds and profits shall be had by conferences and not by numbers of the traveling preachers. —

3rd That said payment of capital and profits according to the ratio of apportionment so declared shall be made and paid to the said Bonitte, Parent and Brown as commissioners aforesaid, on their succeeding on behalf of said Church South, and the

herein referred thereto, or to such other persons as pursuant to any law thereof by the General Conference of said Church do the same to be subsequently managed and administered so as to carry out the trusts and uses aforesaid according to discipline of said Church South and the regulations of the General Conference thereof.

2nd And in order more fully to carry out the matters hereinbefore settled and adjudged, it is further ordered and decreed that this cause be remanded to the said Circuit Court for further proceedings. Next it is ordered

That the same be referred to a master to take and state an account as follows.

(1) Of the amount and value of Book Concern of Cincinnati, on the first day of May 1845, and of what it consists property and effects (according to general description or description thereof) the same then constituted whether composed of real or personal estate and of whatever nature or kind

and from the same may have been and is
due to said complainant as of the date at time
when the said Master shall take the
account.—

(4) If the income and profits of said
Rock Cement from the time of the appointment
of Mary Doe as receiver thereof if
so ordered, up to the time of the making
over to Mary Doe and from the last
mentioned date down to the time of
making up his report. Specifying the
amount of said profits and income have been
transferred to said Rock Cement & Plaster
and accounted for to said Cement Co. in
the settlement of the said items and how
much remains to be accounted for to said
Cement Co. on the basis settled by this
decree.—

And in taking said accounts, and in
the execution of said reference the said Le-
gendre shall produce on on the all books,
account books of account, instruments, papers
letters and copies of letters, memorandum,
documents and writings whatever perti-
nent to said reference, in their possession

a rental, and the said defendants may be examined on oath on the said reference and each party may produce evidence before the master, and have process to compel the attendance of witnesses.

And the said master is further directed in respect to any unpaid profits of said premises and hereditaments received by the said Chuseh Santh, to allow to said Chuseh Santh interest at the rate of six per cent upon such unpaid balances from the date at which the same ought to have been paid.

And in respect to all the costs in this case including the cost of the reference, and all other costs from the commencement of the case until its conclusion - and in respect to the fees of counsel and solicitors thereon of both parties, so far as the same may be reasonable, and in respect of just and necessary expenses as well of plaintiffs as of defendants in conducting the suit, the same ought to be paid out of said Real Estate and premises

three times before apportionment and division And the master is accordingly directed to allow and pay the same to the respective parties entitled thereto and then to apportion the residue according to the principles laid in this decree

And the master is further directed to make his report to the said Circuit Court at the next succeeding rules and shall then proceed to inquire the amount of whatever sums may be found due to said Plaintiff on the confirmation of the master report on such settlements as may be by said Court adjudged reasonable such party having due opportunity of excepting to the masters report

And all questions arising upon said report and not settled by this decree may be moved before said Circuit Court to which Court either party shall be at liberty to apply on the footing of this decree

Jas Mc Lean Pldt

68	Solon C. Deibler vs Jeff in Ex. Isaac D. Large	The argument of this cause was commenced by Mr Stanbery of counsel for the plaintiff in error continued by Messrs Starkey and Pugh for the defendant in error and concluded by Mr Stanbery for the plaintiff in error.
69	Louis D. Amasho et al. vs Jeff in Ex Samuel C. Aymont et al	The argument of this cause was commenced by Mr Holmes of counsel for the plaintiffs in error.

Continuation being made the cause argument until to-morrow morning at eleven o'clock.

Wednesday March 20th 1850

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R. Curtis &	
	John A. Campbell.	

Court & Evans Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

The motion first made to the Court on this Court by the Bill it is ordered that Philip F. Pendleton Esquire of this Bar be admitted to practice as an Attorney and Counsellor of this Court and he was accordingly.

Wednesday April 14th 1858

Louis D. Lamache et al 89 vs Hiffs in Er. Error to Cuyahoga	The argument of this cause was commenced by Mr Noland for the plaintiffs in error, by Mr Peat for the defendants in error and concluded by Mr Noland for the plaintiffs in error.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Court to open at the Court House at Ellicott
meeting at the Capitol.

Present.

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benja R. Curtis &	
	John A Campbell	

Joseph D Hoxie Esqr Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in Ellicott
City by Mr Tillet it is ordered that Le
Wright Brayton Esqrs of Ohio is admitted
to practice as an Attorney and Counsellor of
this Court and he was severally accordingly

Thursday March 27th 1851

John Doe on the demise of Joseph Addison Braden & Sarah D. Carr Lessee of the Plff in Error	In error to the District Court of the United States for the Northern District of Florida
vs.	
Joseph Addison Braden	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Florida and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs.

Jas. Mitchell Sec'y

Wm. Fisher Plff in Error	The argument of this cause was commenced by Mr. Brown
vs.	
Edward D. Morrison	

of counsel for the Plaintiff in error and continued by Mr. Storey counsel for the Defendant in error.

Parliament then broke up and the Court adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the court met this morning at the capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	Johnson McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjn. R. Curtis Esq	
	John A. Campbell	

Jonah D. Hoover Esquire Marshal.
William Thomas Carroll. Clerk.

Parliamentum having sent the record aforesaid

Washington & Romney	Writ of error from the
vs	Circuit Court of the
Justus Post & Co.	United States for the
	District of Louisiana

Ordered.

This cause came on to be heard on the transcript of the record from the circuit

Court of the United States for the District of South Carolina and instituted by consent in accordance whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs, and that it be so certified at the same rate for execution that this decree may be the result of the State of South Carolina.—

By the Divided Court

Wm. H. Hobson & Co. vs. Sheriff &c. & Edward S. Pinckney.	The argument of this cause was concluded by Mr. Mr. Bellah of counsel for the Sheriff &c.
John Blewitt et al Sheriff &c. vs. Hugh Blewitt	This cause was submitted to the consideration of the court on the record and printed argument by Mr. Attorney Blewitt Counsel of record for the defendant in error.

Thursday March 18th 1841 Court met

Thomas Hartland & al
vs
Cliff's in Ex
Samuel H. Laws

The cause was sub-
mitted to the consid-
eration of the court
on the evidence and
further argument by Mr. Waring Counsel & read-
ing of Counsel for the defendant in cause

William H. Lyman and
Ex. Cliff's
Ezekiel H. Mc Dermut

The argument of
this cause was
commenced by Mr.
Seldens of counsel
for the plaintiff's in cause.—

Proclamation being made the court was ad-
journed until monday morning at eleven
o'clock.—

Monday May 1st 1854

Pursuant to adjournment the Court met this morning at the capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benja. R. Curtis	
	John A. Campbell	

Josiah D. Hoeve Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Phillips it is ordered that James Lyle, Charles Lewis and Freeman Shepherd Esquires of Pennsylvania be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

On motion just made to the Court in this behalf by Mr Dixon it is ordered that Mr [illegible] H. Smith Esquire, of Washington City (late of Cincinnati) be admitted to practice in the Courts of this State and he was sworn accordingly.

[illegible]	[illegible]
[illegible]	[illegible]

[illegible]

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Hon.	Roger B. Taney	Chief Justice
	John McLean	
	Joseph M. Wayne	
	John Catron	Associate
	John P. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjn R. Curtis	
	John A. Campbell.	

Lewis E. Beaver Esqr. Marshal
William Thomas Carroll Clerk.

No motion for admission having been made to the Court it is ordered.

On motion for leave made to the Court on this behalf by Mr Stanbery, it is ordered that Robert Ralston Effinger be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

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time to file such record and obtained.—

And in no case shall the plaintiff in error or appellant be entitled to docket the cause and file the record, unless the same shall have been received and docketed within the said period by order of the court or the consent of the adverse party.—

2.— That the defendant in error or appellee may at his option docket the cause and file a copy of the record with the clerk of the court; and if the case is docketed and a copy of the record filed with the clerk of the court by either party within the periods of time above limited and prescribed by this rule the case shall stand for argument at the term.—

3.— In all cases where the period of thirty days is mentioned in this rule, it shall be extended to sixty days in case of writ of error and appeals from California, Oregon, Washington Territory, Nevada and Utah.—

Madison M. Seyman et al vs Cliff in Er.	The argument of this cause was continued by the Court for the plaintiff in error.

91

92.	Samuel Lee et al vs David Hayes	This cause was argued by Mr. Carter of counsel for the complainants and submitted on printed argument by Mr Heald of counsel for the appellant.

93	Sarah Potter et al vs Office &c. Same Appeal	On motion of Mr. Hall for suggesting serious indisposition in the family of one of the aforesaid counsel it is now here ordered by the court that this cause be and the same is hereby postponed for the present.

94	Joseph Patten et al vs Office &c Robert Ratcliffe et al	On motion of Mr. Hall for suggesting serious indisposition in the family of one of the aforesaid counsel it is now here ordered by the Court that this cause be and the same is hereby postponed for the present.

Ex parte Bettie et. al.	On motion of Mr Butler suggesting
In re Effie et al	various indispositions
In Bond.	in the family of

of the attorney counsel it is now ordered by the court that this cause be and the same is hereby postponed for the present.

[illegible]	In consideration of the
vs	stipulation by the
Effie	counsel on both sides
The United States	filed in this cause it
Edwin Morton	is now ordered by the

Court that this cause be and the same is hereby continued to the next term of this court.

The United States	On the motion of Mr
vs	Ringrose counsel for
Effie et al	the defendant in error
Petty Larceny	and with the consent
Pig Stock Seized &c	of Mr. Attorney General
Error.	Writing of Error

to the plaintiff in error it is now hereordered by the court that this cause be and the same is hereby continued to the next term of this court.

Tuesday May 2d 1820 continued.

The United States Plaintiffs	The Honorable [illegible]
98	Counsel for the Defendant
vs	was read and until the
Nine casks of Silk Hats	[illegible]
Saul Brien. Claimt.	

Counsel Desiring of counsel for the plaintiffs in error it is ordered by the Court that this cause be and the same is hereby continued to the next term of this Court

Joseph Smith et al	The argument of
99 vs Jeffrin Et	this cause was
Henry Stoddard.	commenced in

for the plaintiffs in error

Proclamation being made this Court is ad-
journed until to-morrow

Wednesday May 3d 1854

Pursuant to adjournment the Court met this morning at the Capitol -

Present

The Honorable	John Mc Lean	
	James M. Wayne	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C Grier	
	Benjn R. Curtis &	
	John A Campbell	

Jonah D Hoover Esqure Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Chilton, it is ordered that John A Linton of Washington City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr Attorney General Cushing, it is ordered that David Ritchie and H. Hepburn Esquires of Pennsylvania be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

19	Joseph Gutard et al vs Jeffs in Er Henry Stoddard	The argument of this cause was continued by Mr Williams of Counsel for the plaintiffs in error by Mr Ricords Johnson for the defendant in error and by Mr Guyer for the plaintiffs in error

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100.	James Irwin Appt vs The United States	This cause was submitted to the consideration of the Court on the record and printed arguments by Messrs Wylie and Ritchie of Counsel for the appellant and by Mr Attorney General Cushing of Counsel for the appellees.

Wednesday May 3rd 1854 Continued

101.	The United States vs Plff in Er One package of Merchandize Leon Pinsard & Co Clt	On motion of Mr Attorney General Cushing of Counsel for the plaintiff in error and with the assent of Mr Benjamin of Counsel for defendants in error it is now here ordered by the Court that this Cause be and the same is hereby continued to the next Term.

102	The United States vs Plffs in Er One case of Clocks - Leon Pinsard & Co claimant	On motion of Mr Attorney General Cushing of Counsel for the plaintiffs in error and with the assent of Mr Benjamin of Counsel for the defendants in error, it is now here ordered by the Court that this Cause be and the same is hereby continued to the next Term.

Proclamation being made the Court is adjourned until to-morrow morning at eleven Oclock.

Thursday May 11th 1854

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean
James Mc Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Robert C. Grier
Benjn R. Curtis
John A. Campbell
} Associate Justices

Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

99	Joseph Guitard et al vs Plffs in Er Henry Stoddard	The argument of this Cause was concluded by Mr Boyer for the plffs in error
105	Mary E Barney. Appt vs David Saunders et al	The argument of this Cause was commenced by Mr Linton of counsel for the appellant and continued by Mr Lawrence of counsel for the appellees

Thursday May 1st 1851 Continued

Proclamation being made the Court adjourned until to morrow morning at eleven O'clock.

Friday May 5th 1854

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John McLean	
	James M. Wayne	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benja R. Curtis &	
	John A. Campbell	

Isaiah D. Hoover Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

John Fluart vs Piffs in Er vs Hugh Maxwell	On motion of Mr McCulloh of counsel for the plaintiffs in error and with the assent of Mr Attorney General Cushing, it is now here ordered by the Court that leave be and the same is hereby granted to the counsel for the plaintiffs in error to submit this cause in behalf of his client on a printed argument.

31.

62.	Thirion Maillard val vs Plffs in Er Cornelius W. Lawrence	On motion of Mr McCulloh of counsel for the plaintiffs in error and with the assent Mr Attorney General Cushing of counsel for the defendant in error, it is now here ordered by the court that leave be and the same is hereby granted to the counsel for the plaintiffs in error to submit this cause in behalf of his clients on a printed argument.

31	John Stuart val vs Plffs in Er Hugh Maxwell	This cause was submitted to the consideration of the Court on a printed argument of Mr John J. McCulloh of counsel for the plaintiffs in error.

62.	Thirion Maillard val vs Plffs in Er Cornelius W. Lawrence	This cause was submitted to the consideration of the Court on a printed argument by Mr McCulloh and Cutting of counsel for the plaintiffs in error.

Mary E Barney Appt vs David Saunders &al	The argument of this cause was continued by Mr Bradley of counsel for the appellees and concluded by Mr Chilton of counsel for the appellant.

Ex parte, In the matter of Josiah S Stafford and Jennette Kirkland his wife Appts vs The Union Bank of Louisiana	On motion to dismiss the appeal and to award a procedendo &c

On consideration of the motion to dismiss the appeal in this case and to award a writ of procedendo, made on a prior day of the present term, to wit: on Friday the 21st ultimo and of the arguments of counsel thereupon had as well against as in support thereof, it is now ordered by the court that the said motion be and the same is hereby overruled

per Mr Justice McLean

Proclamation being made the court is adjourned until Monday morning at eleven O'clock.

Monday May 8th 1854

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John Mc Lean
James M. Wayne
John Catron
Peter V Daniel
Samuel Nelson
Robert C. Grier
Benja R. Curtis
John A. Campbell
} Associate Justices

Donah D. Hoover Esquire Marshal.
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Cushing, it is ordered that G. R Bennett Esquire of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Gillet, it is ordered that I. Francis

Clements, Esquire of Washington City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Alexander S Marshall vs Plff in Er The Baltimore and Ohio Railroad Company	In error to the Circuit Court of the United States for the District of Maryland.

53.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel.

On consideration whereof, it is now here ordered and adjudged by this Court that the judgement of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Jus Grier

Dissenting

Mr Jus Catron. Mr Jus Daniel & Mr Jus Campbell.

Charles Davenport trustee of John Davenport, decd vs Plff in Er F. Fletcher et al	In error to the Circuit Court of the United States for the Eastern District of Louisiana.

112

On consideration of the motion to dismiss this cause made on a prior day of the present term by the counsel for the defendant in error, and of the arguments of counsel thereupon had, as well against as in support thereof, it is now here considered and adjudged by this Court that this cause be and the same is hereby dismissed with costs.

per Mr Justice McLean

The United States 3. vs Appl Daniel M. Cox et al	Mr Benjamin of counsel for the appellees having moved the Court for leave to argue this cause at this term, it

is now here ordered by this Court that the said motion be and the same is hereby overruled

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The Ships Hornet Appt 106 vs Charles Menturn	On the motion of Mr Cutting of counsel for the appellants and with the assent of Mr Lord of counsel for

the appellee, it is now here ordered by the Court that this cause be and the same is hereby continued to the next term.

Fr Steamboat New World Edward Merchants Appts vs Frederick C King	Mr Remsen Johnson on behalf of Mr Ewing of Counsel for the defendant in error, moved the Court for leave to file the brief of Mr Ewing for the defendant in error and to submit the same to the consideration of the Court, whereupon the Court directed the said brief to be filed, but not being sufficiently advised of and concerning what order to render upon the latter part of said motion took time to consider.

Timothy Fanning Appt vs Charles Gregoire et al	The argument of this cause was commenced by Mr Wilson of Counsel for the appellant and continued by Mr Smith of Counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow morning at eleven O'clock

Tuesday May 9th 1854.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John McLean	Associate Justices
	James M. Wayne	
	John Catron	
	Peter V. Daniel	
	Samuel Nelson	
	Robert C. Grier	
	Benjn R. Curtis &	
	John A. Campbell	

Jonah D Hoover, Esqre. Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

Cruz Cervantes. Appt.		Mr Jones of Counsel for the appellant moved the Court for an attention of time under the 53rd rule of Court, whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.
120.	vs	
The United States		

103	Timothy Fleming Appt vs Charles Gregoire & al	The argument of this cause was concluded by Mr Wilson of Counsel for the appellant
171	Amos Albritton & ux Plff in Er vs Samuel Woodward	Mr Clements having filed a suggestion of the death of Samuel Woodward the defendant in error, and a certificate of letters of administration on the estate of the said Samuel Woodward having been granted to Alexander Osborne, moved the Court for leave to the said administrator to enter his appearance as defendant in error with liberty to resist said writ of error. On consideration whereof it is now here ordered by the Court that the appearance of Alexander Osborne administrator of said Samuel Woodward, be entered and that he be made the defendant in error in this cause with liberty to resist this writ of error.
107	Daniel R Southard & al. vs Appte Gilbert C. Russell	This cause was argued by Mr Reverdy Johnson of Counsel for the appellee and submitted on a

Tuesday May 9th 1854 Continued

printed argument by Mr Nicholas in behalf of the appellants.

	Thomas Cromwell's heirs	The argument of this cause
108	vs' Appts	was commenced by Mr
	The Bank of Pittsburgh	Alden of Counsel for the
		appellants.

Proclamation being made the Court is adjourned until to-morrow morning at eleven O'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John McLean	
	James M Wayne	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benjn R. Curtis	
	John A. Campbell	

Jonah H. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Cushing, it is ordered that David Buel Junr Esquire of New York and E. G. Ryan Esquire, of Wisconsin be admitted to practice as Attorneys and Counsellors of this Court, and they were severally sworn accordingly.

77	Joseph Guitard et al vs Appts in Eq Henry Stoddard	On consideration of the motion made in this cause last Monday by Mr Ewing, it is now here ordered by the Court that leave be and the same is hereby granted him to submit this cause in behalf of his client on his printed argument filed in this cause on the 5th instant, and the same is accordingly hereby submitted.
108	Thomas Cromwell's heirs vs Appts The Bank of Pittsburgh	The argument of this cause was continued by Mr Alden of counsel for the appellants by Messrs Hepburn and Loomis for the appellee, and by Mr Reverdy Johnson for the appellants.
120	Cruz Cervantes - Appts vs The United States	On consideration of the motion made in this cause yesterday, by Mr Jones of counsel for the appellant, it is now here ordered by the Court that the time allotted by the 53rd rule be extended in this case and that the counsel be allowed whatever time may be esteemed ma-

made for the argument of this cause.

Mr Justice McLean announced to the Bar that the Court would not take up for argument at this term any case on the docket after No. 120.

Proclamation being made the Court is adjourned until to-morrow morning at eleven O'clock

Thursday May 11th 1854

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John McLean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Robert C. Grier
Benjn R. Curtis
John A. Campbell
} Associate Justices

Josiah D. Hoover, Esquire, Marshal.
William Thos. Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr Gillet, it is ordered that A. F. Wells Esquire, of Michigan, be admitted to practise as an Attorney and Counsellor of this Court and he was sworn accordingly.

Lewis Curtis and Joseph D. Se-
afield Trustees of the Apalach-
icola Land Company - Appellees
(vs)
The Mayor and Council of the
City of Apalachicola

In error to the Dis-
trict Court of the
United States for
the Northern Dis-
trict of Florida

Mr Remedy Johnson of counsel for the defendants in error having filed and read in open court the following certificate viz

"United States of America
Northern District of Florida
Apalachicola Division

I, Joseph S. May clerk of the District Court of the United States for the Northern District of Florida do hereby certify that on the nineteenth (19th) day April in the year of our God one thousand eight hundred and fifty three, Lewis Curtis and Joseph Delafield, Trustees of the Apalachicola Land Company by their Attorney R. J. Moore, duly sued out of my said office, and were allowed, a writ of error to remove the record and proceedings in a certain action at law lately pending and decided in said court in which the Mayor and Council of the City of

Apalachicola were plaintiffs and Lewis Curtis and Joseph Delafield were defendants and in which said action judgment was rendered on the eighteenth (18th) day of February A.D. 1850 in favor of said Mayor Council of the City of Apalachicola against said Lewis Curtis and Joseph Delafield.

In witness whereof I have set my hand and affix the seal of said Court this 26th day of April A.D. 1854

Seal

Jos. C. May, Clerk
U.S. District Court

and having stated that the plaintiffs in error had altogether failed to file the record of said Court in this cause, now here moved the Court in pursuance of the 43rd rule of this Court, to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error to the District Court of the United States for the Northern District of Florida be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in

conformity to law and justice the said writ of error notwithstanding

p. Mr Eus Mc Lean

Thomas Cromwells Exrs 108 vs Appts The Bank of Pittsburgh	The argument of this Cause was concluded by Mr Kennedy Johnson of counsel for the appellants
Henry W. Rhodes, Libellant; 109 vs & Appts The Steamship Galveston &c	The argument of this cause was commenced by Mr Hale of Counsel for the appellant, continued by Mr Coxe of counsel for the appellees and concluded by Mr Hale for the appellant

Proclamation being made the Court is adjourned until to-morrow morning at eleven O'clock

Friday May 12th 1854

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John McLean
James M Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Robert C. Grier
Benjn R Curtis &
John A Campbell

Jonah D Hoover, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Stanbery, it is ordered that Andrew J. McNutt, Esquire, of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Reverdy Johnson, it is ordered that Benj.

D. Gilliman, Esquire, of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

The United States Pl'ts in Er Beverly Tucker Pl'ff in Er vs 189 A.O. Seaman, Superintendent of Public Printing	Mr Beverly Tucker of counsel for the plaintiff in error moved the Court for leave to argue this cause at the present

term for the reasons set forth in his motion filed this date in this cause whereupon the Court not being now here sufficiently advised of; and concerning what order to render in the premises took time to consider.

Samuel H. Early vs Pl'ff in Er 115 Asher Rogers & al	Mr Chase of counsel for the defendants in error in this cause having filed a motion to correct the

judgment entered by this Court in No 176 of December term 1851 between the same parties, moved the Court for leave to argue said motion on the argument of the present case on the docket. On consid-

solicitation whereof it is now here ordered by the Court that leave be and the same is hereby granted the said Counsel to argue this motion on the argument of the cause on the present docket.

Ex parte In the matter of Sarah J Stafford & wife
vs Appts
The Union Bank of Louisiana

On motion for peremptory mandamus or for a rule to show cause &c

Myers Hale and Coit of Counsel for the petitioner moved the Court for a writ of mandamus returnable to the first Friday of the next term of this Court commanding the Honorable J C Watrous Judge of the District Court of the United States for the District of Texas to cause the decree ordered by the District Court of the United States for the said District of Texas in this case to be at once carried into execution or on failure thereof to show to this Court why the same has not been done or for a rule on the said District Judge to show cause on the first Friday of the next term of this Court why a peremptory writ of mandamus should not issue for the purposes above stated; whereupon this Court not being now here sufficiently ad-

mind in the premises took time to consider

Ex parte: In the matter of Josiah S Stafford and wife vs Affts. The New Orleans Canal and Banking Company	On motion for peremptory mandamus or for a rule to show cause

Mssrs Hale and Cox of counsel for the petitioner moved the Court for a writ of mandamus returnable to the first Friday of the next term of this Court, comanding the Honorable J. D. Watrous, Judge of the District Court of the United States for the District of Texas to cause the decree rendered by the District Court of the United States for the said District of Texas in this cause to be at once carried into execution or on failure thereof to show to this Court why the same has not been done, or for a rule on the said District Judge to show cause on the first Friday of the next term of this Court why a peremptory writ of mandamus should not issue for the purposes above stated, whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider

Friday May 12th 1854 Continued

Edwin S Cabot et al vs Joseph H Bradley et al	The argument in this cause was commenced by Mr Wylie of counsel for the plaintiffs in error, continued by Mr Lawrence of counsel for the defendants in error, and concluded by Mr Wylie for the plaintiffs in error.

Proclamation being made the Court is adjourned until Monday morning at eleven O'clock.

Monday May 18th 1835

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John McLean	
	James M Wayne	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robt. B Grier	
	Benjn R Curtis	
	John A. Campbell	

Josiah P. Horner, Esquire, Marshal.
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

Ex parte In the matter of Josiah S Bissell and Emmeline Bissell his wife - Applts	On motion for peremptory mandamus or for a rule to show
6. vs	
The Union Bank of Louisiana	Cause &c.

Messrs Hall and Cox having filed and submitted to the consideration of the Court the following petition, viz

"To the Honorable the Justices of the Supreme Court of the United States

"The petition of the Union Bank of Louisiana a corporation duly established by the laws of the State of Louisiana, respectfully shewth. That on the 5th day of March 1848, your petitioner filed its Bill in the District Court of the United States for the District of Texas, against Josiah F Stafford and Jeannette Kirkland Stafford, his wife whereby your petitioner sought to obtain a foreclosure of a certain mortgage held by it on certain negro slaves then in the possession of the said defendants, but at the hearing in the said Court and by the decree thereof the said Bill was dismissed. And your petitioner further shewth that from the decree of the said Court, dismissing the dismissal of the said Bill, an appeal was prayed by your petitioner to this Court, and at the December term 1851 the said decree was reversed and the cause remanded to the said District Court, with directions to that Court to enter a decree in favor of your petitioner and according to such a decree was in fact rendered by the said District Court on the 25th February 1852 whereby it was in substance directed that the same were

ing from the hire of the mortgaged slaves, while in the custody of the Trustee pendente lite, amounting $25379 99 should be paid by the Trustee to the complainant and credited on the total amount found to be due by the defendants, and that in case the defendants failed to pay over the balance remaining due after such credit amounting to $34,577 13 on the first day of July 1854, they should be foreclosed of their equity of redemption, and the marshal should sue and sell the mortgage slaves at public auction, on the third day of the same month, or as soon thereafter as may be, after giving three months notice by advertisement of the time, place and terms of sale, and should pay to the complainant, your petitioner, out of the proceeds of such sale, the aforesaid sum of $34,577 13 in satisfaction of the debt secured by the said mortgage. And your petitioner further showeth that although it appeared by the said decree that the total amount due thereby to your petitioner was the sum of sixty five thousand two hundred and fifty six dollars and fifty two cents, yet the said District Court thereafter, to wit, on the seventh day of March 1854 in violation of the statutes of the United

States and of the rights of your petitioner, allowed the said defendants to take an appeal from the said decree to this Court which should act as a supersedeas, upon their giving bond in the penal sum of ten thousand dollars alone, conditioned that they prosecute their said appeal with effect, and answer all damages and costs if they fail to make their plea good and when the said defendants had on the day aforesaid, tendered such a bond, with certain sureties therein named, the said District Court ordered, notwithstanding the objections interposed on the part of your petitioner, that the bond of appeal so taken and filed operate as a supersedeas to the decree of the said Court, hereinafter set forth: all of which will fully appear, by reference to the transcript of the record of the cause brought up to this Court on the first appeal, and to the transcript of the record of the subsequent proceedings in the said cause, filed in this Court in support of a motion made on the part of your petitioner, at the present term, to dismiss the said second appeal taken as aforesaid by the said defendants.

And your petitioner further showeth that the action of the said District Court in order-

ing it to be ordered that the appeal had so taken operate as a supersedeas and stays the execution of the said decree, is contrary to law, and therefore to your petitioner that unless this court interpose, a delay of one or two years must intervene before the decree can be carried into effect, meanwhile the security for the final payment of the amount decreed to be due and payable to your petitioner is wholly insufficient and much less than the amount required by law and that your petitioner has no remedy save in the present application to this Court.

"Whereupon your petitioner humbly prayeth that your Honor would be pleased to order that a writ of mandamus in due form, be at once issued from this Court, returnable to the first Friday of the next term thereof commanding and requiring the Honorable Robert Watkins, Judge of the District Court of the United States for the District of Utah, to cause the decree, as aforesaid rendered by the said Court on the twenty fifth day of February, 1853, to be at once carried into execution according to the terms thereof, notwithstanding the appeal so taken by the defendants: or a failure thereof, to shew to this Court, on the said return

day why the same has not been done.

"And in support of this petition, your petitioner refers to the transcript herein before mentioned, and to the records of this Court in relation to the said cause; and ever prays &c."

And also the following motion, viz

"The counsel for the Union Bank of Louisiana, in accordance with the prayer of the petition herewith filed in behalf of the said Bank, now move the Court to order that a writ of mandamus in due form, do at once issue from this Court, returnable to the first Friday of the next term thereof, commanding the Honorable John C. Watrous, Judge of the District Court of the United States for the District of Texas, to cause the decree rendered by the said District Court on the twenty fifth day of February 1854, in a certain cause therein then depending between the said Union Bank of Louisiana as complainant and Josiah H Raffard and Arandilla Kirkland Raffard, his wife, as Defendants, to be at once carried into execution, according to the terms thereof, or, on failure thereof, to shew to this Court, on the return day of the said writ, why the same has not been done.

"And in case the Court do not think fit

to make such order then the counsel for said Union Bank of Louisiana move the Court to grant a rule on the said District Judge, requiring him to show cause on the first Friday of the next term of this Court why a peremptory writ of mandamus should not issue for the purpose above stated.

"And in support of this motion, the counsel refer to the said petition, and to the transcript therein mentioned."

And the Court having duly considered the same it is thereupon now here ordered by the Court that a rule on the Honorable John C Watrous, Judge of the District Court of the United States for the District of Texas requiring him to show cause on the first Friday of the next term of this Court, why a peremptory writ of mandamus should not issue for the purposes above stated be and the same is hereby granted, and that a copy of this rule be served on the said District Judge, at least ninety days before the said return day

for Mr Chas Mc Vean

Ex parte: In the matter of Josiah S Stafford and Araminta Kirkland Stafford his wife Appts. vs. The New Orleans Canal and Banking Company	On motion for peremptory mandamus: or for a rule to show cause &c.

Mess^rs Eals and Cox having filed and submitted to the consideration of the Court the following petition, viz:

"To the Honorable Justices of the Supreme Court of the United States

"The petition of the New Orleans Canal and Banking Company, a corporation duly established by the Laws of the State of Louisiana, respectfully sheweth that heretofore your petitioners filed a Bill in the District Court of the United States for the District of Texas, sitting in equity, against Josiah S Stafford and Araminta Kirkland Stafford, his wife, whereby your petitioners sought to obtain a foreclosure of a certain mortgage held by it on certain negro slaves then in the possession of the said defendants: but at the hearing in the said Court and by the decree thereof the said Bill was dismissed. And your petitioners further shew that from the decree of the said

Court dismissing the dismissal of the said Bill, an appeal was prayed by your petitioner to this Court, and the December term 1853, the said decree was reversed and the cause remanded to the District Court, with directions to that Court to enter a decree in favor of your petitioner and accordingly such a decree was in fact rendered by the said District Court on the second day of March 1854, whereby it was in substance ordered that in case the said defendants failed to pay over to your petitioner, on or before the first day of July 1854, the amount found to be due to your petitioner amounting to the sum of nineteen thousand nine hundred and one dollars and seventy nine cents, they should be foreclosed of their equity of redemption, the Marshal of the said district should sell and sell the said mortgaged slaves, at public auction, on the third day of the same month or as soon thereafter as may be, after giving three months notice by advertisement of the time, place and terms of sale, and should pay to your petitioner, out of the proceeds of such sale, the aforesaid sum of nineteen thousand nine hundred and one dollars and seventy nine cents, in satisfaction of the debt secured by the said

mortgage And your petitioners further showeth that although it appeared by the said decree that the total amount due thereby to your petitioners was the aforesaid sum of nineteen thousand nine hundreds and one dollars and seventy nine cents, yet the said District Court, thereafter, to wit, on the ninth day of March 1854, in violation of the Statutes of the United States and of the rights of your petitioners, allowed the said defendants to take an appeal from the said decree to this court, which should act as a supersedeas, upon their giving a bond in the penal sum of five thousand two hundred dollars also conditional that they should prosecute their appeal with effect and answer all damages and costs if they fail to make their plea good and when the said defendants had, on the day aforesaid, tendered such a bond, with certain sureties therein named, the said District Court ordered, notwithstanding the objections interposed on the part of your petitioner, that the appeal bond so taken and filed should operate as a supersedeas to the decree of the said court, hereinbefore set forth; all of which will fully appear by reference to the transcript of the record of the said cause brought up

to this Court on the first appeal, and to the transcript of the record of the subsequent proceedings in the said cause herewith filed

"And your petitioner further sheweth that the action of the said District Court in directing it to be entered that the appeal bond, as taken, operates as a supersedeas and the issuance of the said decree is contrary to law and oppressive to your petitioner that unless this Court interpose, a delay of one or two years must intervene before the decree can be carried into effect, and meanwhile the security for the final payment of the amount decreed to be due and payable to your petitioner is wholly insufficient and much less than the amount required by law and that your petitioner has no remedy save in the present application to this Court.

"Wherefore your petitioner humbly prays that your Honors would be pleased to order that a writ of mandamus, in due form, be at once issued from this Court, returnable to the first Friday of the next term thereof, commanding and requiring the Honorable Edmund L. Watrous, the Judge of the said District Court of the United States for the District of Texas to

cause the decree so as aforesaid rendered by the said Court on the second day of March 1854, to be at once carried into execution according to the terms thereof, notwithstanding the said appeal so taken by the said defendants, or, in failing thereof, to show to this Court, on the said return day, why the same has not been done.

"And in support of this petition, your petitioner refers to the transcript hereinbefore mentioned, and to the records of this Court in relation to the said cause: and will ever pray."

And also the following motion, viz.

"The counsel for the New Orleans Canal and Banking Company in accordance with the prayer of the petition herewith filed on behalf of the said Company now move the Court to order that a writ of mandamus, in due form, do at issue from this Court, returnable to the first Friday of the next term thereof, commanding the Honorable John C. Watrous, Judge of the District Court of the United States for the District of Texas, to cause the decree rendered by the said District Court on the second day of March 1854, in a certain cause therein then depending, wherein the said New Orleans Canal and

Banking Company was complainant, and Everard F. Kafford and Araminta Kirkland Kafford, his wife, were defendants, to be at once carried into execution, according to the terms thereof; or in default thereof to show to this Court, on the return day of the writ, why the same has not been done.

And in case the Court do not think fit to make such order, then the Counsel for the said Company move the Court to grant a rule on the said District Judge requiring him to show cause, on the first Friday of the next term of this Court, why a peremptory writ of mandamus should not issue for the purpose above stated.

"And in support of this motion the Counsel refers to the said petition and to the papers therein mentioned."

And the Court having duly considered the same, It is thereupon now here ordered by the Court that a rule on the Honorable Edmund H. Watkins, Judge of the District Court of the United States for the District of Texas requiring him to show cause on the first Friday of the next term of this Court, why a peremptory writ of mandamus should not issue for the purposes above stated be and the same is hereby

granted and that a copy of this rule be served on the said District Judge at least ninety days before the said return day.

The United States Ex relations Lovely Tucker Plff in Er vs 189. A. G. Seaman, Superintendent of the Public Printing.	On consideration of the motion made in this cause on last Friday the 10th instant by Mr Johnson of Counsel for the plaintiff in error, it is now here ordered by this court that the said motion be and the same is hereby overruled.

James Haynes Plff in Er vs 111. The Yates County Bank	The argument of this cause was commenced by Mr Lawrence for the plaintiff in error, continued by Messrs Willet and Peckham for the defendant in error and concluded by Mr Lawrence for the plaintiff in error

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Proclamation being made the Court is adjourned until to-morrow morning at eleven O'clock

Tuesday May 15th 1855

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honble John Mc Lean
James M Wayne
John Catron
Peter V Daniel
Samuel Nelson
Robert C Grier
Benja R. Curtis
John A Campbell

Associate Justices

Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

Joseph Gutard, Frederick Stude-	In error to the Cir-
man Mary his wife, and George	cuit Court of the
Brown and Julia his wife -	United States
99 Vs Aff in Er	for the District
Henry Stoddard	of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri and argued by Counsel On consideration

(Tuesday) May 16th 1854. Continued

whereof, it is now here ordered, and adjudged by the court that the judgement of the said Circuit Court in this cause be and the same is hereby remanded to the said Circuit Court with direction to award a venire facias de novo.

per Mr Justice Campbell

Kennetta Annis, Executrix and William Perkins Exor of Pinnus Annis, decd. Appt

vs

David Myers

92

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel.

On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to perpetuate the injunction granted in this cause.

per Mr Justice Campbell.

The Steamboat New World, Edward Mentum, William Menjo and William H Webb — Claimants 90 vs Appts Frederick G King	Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs, and interest at the same rate per annum that similar decrees bear in the Courts of the State of California.

Pr Mr Jus: Curtis
Dissenting Mr Jus Daniel.

James Irwin Appt 110 vs The United States	Appeal from the Circuit Courts of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed.

Pr Mr Justice Grier.

John G Deshler. Appellant		In error to the Circuit Court of the United States for the District of Ohio.
136	vs	
George C Dodge		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Ohio and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this court that the judgement of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

Tuesday May 16th 1854 Continued

Pr. Mr Jus. Nelson

Dissenting

Mr Jus Catron - Mr Jus Daniel -
Mr Jus Campbell & Mr Ch. Jus Taney

Henry W. Rhodes - Libellant
& Appt
vs
The Steam Ship Galveston, her tackle, apparel and furniture, John R. Evans, Master, and Charles Morgan, Jerad C Harris and Henry R. Morgan Claimants

Appeal from the District Court of the United States for the District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Texas and was argued by Counsel. On Consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of said District Court in this cause be and the same is hereby affirmed with costs

By a divided Court.

Tuesday May 15th 1821 Continued

Wm Nicholls & Co. a commercial firm composed of Richard & Wm Nicholls and Alfred Hewson.	In error to the Circuit Court of the United States for the Eastern District of Louisiana.
116 To	
Plffs in Er	
Felice Piranello, Pietro Riso, Antonio Ygobil and Jasper D'Anna	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and the plaintiffs in error having been three times solemnly called by the Marshal to come into Court and prosecute this writ of error and having failed so to do. it is thereupon, on the motion of Mr Benjamin of counsel for the defendants in error, ordered and adjudged by this court that this cause be and the same is hereby dismissed with costs.

per Mr Justice McLean.

Robert Ticknor appt	Mr Preston of counsel for the appellant having
76 To	suggested the death of
Thomas D. Owings	Thomas D. Owings the

appellee in this cause, moved the Court for an order under the 25th rule of Court to make the proper

representatives parties On consideration whereof it is now here ordered by the court that unless the proper representatives of the said Thomas L Young decd. shall voluntarily become parties within the first ten days of the ensuing term, the appellant shall be entitled to open the record and on hearing have the same reversed if it be erroneous.

Provided that a copy of this order shall be printed in some newspaper at the seat of Government in which the laws of the United States shall be printed by authority for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing

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Samuel H. Early
vs
Fifth on &
John Rogers & wife

This cause was argued by Mr Chase of counsel for the defendants in error and submitted on a printed argument by Mr. D. M. Mason on behalf of the plaintiffs in error.

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116 William Early - Piff in Er
vs
John Doe, on the demise of Rhoda E. Tomas.

This cause was argued by Mr Lawrence of counsel for the plaintiff in error and by Mr Woodward of

counsel for the defendant in error.

Zebedee Ringgold Compt 133 vs Hugh Maxwell	The argument of the cause was commenced by Mr King for the complainants.

Proclamation being made the Court is adjourned until to-morrow morning at eleven O'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robt C Grier	
	Benjn R. Curtis &	
	John M Campbell	

Josiah G Hearn, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Fitz Henry Homer	In error to the Circuit
86 vs Iliff in Er	Court of the United
George L. Brown	States for the District of
	Massachusetts

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court

in the Court be and the same is hereby affirmed with costs

p. Mr Justice Wayne

133	Jabez Fitch Complt vs Hugh Magrath	The argument of this was continued by Mr King for the complainants by Mr Attorney General & Gushing of counsel for the defendant and concluded by Mr King for the complainants.

Proclamation being made the Court is adjourned until to-morrow morning at eleven O'clock.

Tuesday May 1st 1821

Pursuant to adjournment the court met this morning at the Capitol

Present

The Hon'ble	John M. Dean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert B. Crier	
	Benjn R. Curtis Esq.	
	John A. Campbell	

Enoch D. Hoover, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the court is opened

Joseph Battin Plff in Er vs James Taggart	On motion of Mr Dallas of counsel for the plaintiff in error, it is now here ordered by the court that this cause be, and the same is hereby continued to the next term of this court.

93

Joseph Battin. Plff in Er vs Robert Kataliff et al	On motion of Mr Dallas of counsel for the plaintiff in error it is now

94

It is ordered by the court that this be, and the same is hereby continued to the next term of this court.

Joseph Letter - Plff in Er 95. vs John B. Howes	On motion of Mr Gallie of counsel for the plaintiff in error it is now here ordered by the court that this cause be, and the same is hereby continued to the next term of this court.

Craig Executrix - Appl 120. vs The United States	The argument of this cause was commenced by Mr Ll. Crag one of counsel for the appellant.

Proclamation being made the court is adjourned until to-morrow morning at eleven O'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean
James M Wayne
John Catron
Samuel Nelson
Robert C. Grier
Benja R. Curtis
John A. Campbell

Joseph L Towers, Esquire, Marshal.
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

Maria Davenport &c	Mr Dimmock of counsel
112 vs) Effie in Eq	for the plaintiff in
Wm Fletcher et al	error, moved the Court

to reinstate this cause on the docket for the reasons set forth in his written motion, filed this date in this cause. Whereupon this Court not being now here sufficiently advised of, and concerning what order to make in the premises, took time to consider.

Benj Covarts - Appt 120. vs The United States	The argument of this cause was continued by Mr Jones for the appellant.

Proclamation being made the is adjourned until Monday morning at eleven O'clock.

Monday May 22d 1854.

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benja. R. Curtis	
	John A. Campbell	

Jonas D. Toomer, Esqr. Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened.

Benj Brewster. Appt	This having been sugges-
vs.	ted a doubt of the Juris-
The United States	dictional jurisdiction of the
	District Court in this

case, the court took the same under advisement until to-morrow.

Proclamation being made, the court is adjourned until to-morrow morning at eleven o'clock.

Tuesday 23d 1850

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benja R. Curtis	
	John A. Campbell	

Jonat. T. Hoover, Esquire, Marshal.

William Thomas Carroll, Clerk

Proclamation being made the Court is opened

John Stuart Joseph Stuart, James Stuart and William H. Scott. Plffs in Er	In error to the Circuit Court of the United States for the Southern District of New York.
vs	
Hugh Maxwell	

31.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the South-

on District of New York and argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Pr Mr Just: Curtis

Dissenting Mr Just: Grier.

Mary C Barney, by her next friend Mason Weedhill	Appeal from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington.
105 vs Appt	
David Saunders, Roger C. Weightman and Samuel C. Barney.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by counsel.

On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that cause be and the same

is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this court

Pr Mr Jus: Grier

Thurm Maillard, Earnest Caylus and Camille C Roumage — Plffs in Er 62. vs Cornelius W Laurence	In error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Pr Mr Jus: Daniel

Daniel R. Southerd, Samuel D. Tompkins, William C. Bullitt and William H. Pope, admrs of James Burks, deceased, and William L Thompson guardian of James Burks, Samuel Burks,

Charles Burks and Nancy Burks, infant Children of James Burks deceased, Matilda Burks and John Burks, heirs of James Burks deceased.

Appellants

107 vs

Gilbert & Triplett

Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky and argued by counsel On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

Pr Mr Jus: Nelson.

Louis C. Camache, Samuel and Leonor Camache, by guardian, Wilson Pumm and Louis Pumm, John Carandez and Mary F. Fant.

Writs of Er.

87 vs

Francis E. Paquet and the Inhabitants of the

town of Carondelet

In error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript record from the Supreme Court of the State of Missouri and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs

Pr Mr Justice Catron

Alexander Craft, William L. Hobson and William Keeper, trading under the name and style of Craft, Hobson & Co—	In error to the Circuit Court of the United States for the Southern District of New York.
26. vs) Affd with Ex.	
Edward H. Harrison	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and argued by counsel. On consideration whereof, it is now here

ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

Wm. McKenney Clerk

David A. Hall, assignee of John Hoover, use of Edward Hall. vs) Pltff in Er. Thomas Jewell	In error to the Court of Appeals, Western Shore of Maryland

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Mr Reverdy Johnson Jr of Counsel for the defendant in error having filed and read in open Court the following certificate to wit.

Court of Appeals, Western Shore of Maryland
2nd June Term 1850

David A Hall, assignee of John Hoover, use of Edward Hall vs) Thomas Jewell	Appeal ward same ops & Certificate of Clerk U. S. District Court, filed 24th June 1850.

"Judgment upon verdict for the defendant affirmed the 28th day of June 1850 for $111.9713 cts and costs. "Appeal Bond filed April 5th

1851 "Writ of error to Supreme Court United States filed 5th April 1851.
"Bond filed. Issue of Citation filed 8th Apl 1851
"Petition writ error granted and filed 25th Apl 1851
"Record transmitted 29th April 1851.

"Attorney— 6.66⅔
"Clerk 34.70
$41.37

"Maryland, Set.

"I, William A Spencer, clerk of the Court of Appeals of Maryland, do hereby certify, that the foregoing entries are truly taken and copied from the record of proceedings of the said Court for the Term above mentioned

In testimony whereof, I have hereunto set my hand as clerk, and affixed the seal of the said Court of Appeals, this tenth day of May A.D. 1854.

Seal

Wm. A. Spencer, Clerk.

"Maryland, Set

"I, John C. Le Grand, Chief Justice of the State of Maryland and of the said Court of Appeals, do hereby certify that Wm

A Spencer, is the Clerk of the Court of Appeals of Maryland, and that the foregoing attestation by him is in due form and by the proper officer.

Given under my hand and seal, this tenth day of May, in the year of our Lord one thousand eight hundred and fifty four

Jno Carroll Jr Grounds

and having stated that the plaintiff in error had altogether failed to file the record of said Court in this Cause, or in any way to prosecute said writ of error, now here move the Court in pursuance of the 13th rule of this Court, to have this writ of error docketed and dismissed

On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error to the Court of Appeals of Maryland be and the same is hereby docketed and dismissed with costs, and that this Cause be and the same is hereby remanded to the said Court of Appeals for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

Pr Mr Chief Justice Taney

Proclamation being made the Court is adjourned until to-morrow morning at eleven O'clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	Peter V. Daniel	
	Samuel Nelson	
	Robert C. Grier	
	Benja R. Curtis	
	John A. Campbell	

Ronald D Hoover, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Attorney General Cushing, it is ordered that Geo W Peard Esquire of Massachusetts be admitted to practice as an attorney and counsellor of this court and sworn accordingly.

Charles B Calvert and George H Calvert Pffs in Er vs Joseph H Bradley and Benjamin F. Middleton	In error to the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington.

110

This cause came on to be heard on the transcript record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

Pr Mr Jus: Daniel.

The Piqua Branch of the State Bank of Ohio Pffs in Er vs Jacob Knoop Treasurer of Miami County.	In error to the Supreme Court of Ohio.

57

This cause came on to be heard on the transcript of the record from the Supreme Court of Ohio, and was argued

by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Supreme Court of Ohio in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court of Ohio for further proceedings to be had therein in conformity to the opinion of this court.

Pr Mr Jus. McLean

Dissenting
Mr Jus Catron
Mr Jus: Daniel &
Mr Jus: Campbell

The Ohio Life Insurance and Trust Company.	In error to the District
55 vs) Piff in Er	Court of the State of
Henry Debolt, Treasurer	Ohio, for Hamilton
of Hamilton County.	County.

This cause came on to be heard on the transcript of the record from the District Court of the State of Ohio, for Hamilton County and was argued by counsel. On consideration whereof, it is now here ordered, ad-

judged and decreed by this court that the judgment and decree of the Supreme Court of Ohio, in this cause as remitted to the District Court of the State of Ohio for Hamilton County and contained in the transcript of the record filed in this cause, be and the same is hereby affirmed with costs, and interest at the same rate per annum that similar judgments or decrees bear in the courts of the State of Ohio.

Pr. Mr. Ch. Jus. Taney.

Dissenting Mr. Jus. McLean
Mr. Jus. Wayne Mr. Jus. Nelson;
Mr. Jus. Curtis.

Ewing Cowanles — Appt.		Appeal from the
120	vs	District Court of
The United States —		the United States
		for the Northern

District of California.

This cause came on to be heard on the transcript record from the District Court of the United States for the Northern District of California and it not appearing therefrom that the land claimed is within the Northern

judicial district of California, it is on consideration thereof, now here ordered and decreed by this court that the decree of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said District Court, with leave to amend the proceedings in regard to the jurisdiction of the said District Court, and also in regard to any other matter of form or substance which may be necessary.

Mr Justice McLean

The United States Appts vs James Bell, claimant of the Ship Baron Renfrew her tackle, apparel & furniture	Appeal from the District Court of the United States for the Northern District of California.

412.

This cause came on to be heard on the transcript of the record from the Northern District of California, and Mr Attorney General Cushing having suggested to the Court that the penalties, to recover which the libel in this case had been filed, had been remitted by the President on conditions

which have been complied with by the party claimant, and it being certified by the court below that the injunction was for reasonable cause, that no further occasion exists to prosecute the the appeal whereupon he moved that the said appeal be dismissed

On consideration whereof, it is now here ordered and decreed by this court that this appeal be and the same is hereby dismissed

Pr Mr Ch Jus: Tunney.

John Doe, on the demise of Joachim Esclava, Lewis Escalon Townsley, Miguel D. Esclava, Charles Andony and his wife Coralie formerly Coralie Townsley

vs

Pfiff in Ev Richard Roe, Thomas J. Bolling and Thomas R. Bolling

1944

In error to the Supreme Court of the State of Alabama.

Mr Phillips of counsel for the defendants in error, having filed and read in open court the following certificate, to wit:

"The State of Alabama
City of Montgomery. } Supreme Court of the State of Alabama.

I, John B. Phelan, Clerk of the Supreme Court of the State of Alabama, do hereby certify. That by the records of the said court it appears, that at a Term of said court began and held on the first Monday of June in the year of our Lord 1858, in a cause pending in said Supreme Court removed thither by writ of error to the Circuit Court of Mobile County in said State, between John Doe, on the demise of Joachim Enslava, Louis Oscar Fousley, Miguel D. Enslava, Charles Andony, and his wife Coralie formerly Coralie Fousley, (Plaintiffs in error) and Richard Roe, Thomas W. Bolling and Thomas R. Bolling (Defendants in error) a judgment was rendered in favor of said defendants in error, and against said Plaintiffs in error, in the words following, to wit: "This day came the parties by their Attornies and thereupon the record and the matters assigned for error therein being argued and examined, it seems to the court, that there is no error in said record and proceedings of said Circuit Court of Mobile County. It is therefore considered by the court that said judgment of said Circuit Court be

reversed and that said defendants in error re-
cover of said plaintiffs in error, and of Roman
Eutaw their surety in the appeal bond the
costs of this court and of said Circuit Court.

And further orders, that said plain-
tiffs in error on the day of
in the year 1853 A.D. sued out a writ of error to
reverse said judgment of said Supreme Court,
returnable to the next Term of the Supreme
Court of the United States to be holden at the
City of Washington on the first Monday of
December 1853 A.D. and entered into bond
pursuant to law with
as sureties with condition to
prosecute said writ of error to effect, or pay
and satisfy the judgment of said Supreme
Court of the United States therein, and that
thereby said judgment has been suspended.

Seal

Witness my hand and the
seal of the Court March 14th
1854

Jno. D. Phelan, Clerk

And having stated that the plaintiffs in er-
ror had altogether failed to file the record of
said court in this cause, or in any way to

prosecute said writ of error, now here moved the Court in pursuance of the 4th rule of this Court, to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this court, that this writ of error to the Supreme Court of the State of Alabama be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

Pr. Mr. Ch. Jus. Taney.

Proclamation being made, the court is adjourned until Friday morning at eleven O'clock.

1777 Friday May 26th 1854.

Pursuant to adjournment the court met this morning at the Capitol

Present-

The Honorable	Roger B. Taney.	Chief Justice,
	John McLean	
	James M. Wayne	Associate
	Peter V. Daniel	Justices.
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover, Esquire Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the court sit down.

On motion first made to the court in this behalf by Mr Attorney General Cushing, it is ordered that Rowland Jones, Esquire of Louisiana be admitted to practice as an Attorney and Counsellor of this court, and he was sworn accordingly.

Edwin Bartlett		In error to the Circuit
63	vs.) Plff in Er.	Court of the United
George P. Kane		States for the District
		of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of that said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Campbell.

Samuel L. Carlin, Plff in Er	In error to the District
115. vs	Court of the United
John Rogers jr and Joseph	States for the
Rogers survivors &c of	Western District
Rogers & Brothers	of Virginia.

This cause came on to be heard on the transcript of the record from the District of the United States for the Western District of Virginia and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Campbell.

William H. Seymour and Dayton J. Hogan	In error to the Circuit Court of the United
91. vs	States for the Northern
Elijah Iffin & Lyman H. McCormick	District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

P. Mr Jus. Grier.

William Easby Iffin et al	In error to the Circuit
118 vs	Court of the United
John Dod on the demise of Rhoda E. Forman	States for the District of Columbia holden in and for the County

of Washington.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Pr. McLean Mr. Justice Wayne.

Timothy Fanning vs) Appl Thos. Eugene and Charles Sage —	Appeal from District Court of the United States for the District of Iowa.

105

This cause came on to be heard on the transcript of the record from the District of Iowa and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said District Court in this cause be, and the same is hereby affirmed with costs.

Pr. McLean Mr. Justice McLean.

William J. Shiver, Laurince Shiver, Wm. Cromwell Shiver, and Marcella Shiver, minors by their father and next friend Wm. J. Shiver and Martha Virginia Barkley, Jeremiah Berry and Thomas Cromwell Berry - Appts

103 vs

The Bank of Pittsburgh

Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Dr. McKinley Mr. Lemmon

The Steamboat Northern Indiana, her tackle, apparel and furniture. The Michigan Southern Railroad Company, Claimants & Appts

123. vs

Jason Parker & John Stevens Libellants

Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and it appearing from a statement filed by the counsel for the appellants, that the matters in controversy in this cause had been argued and settled between the parties. It is therefore now hereordered, adjudged and decreed by this court that this cause be, and the same is hereby dismissed with costs.

For Mr Ch. Thos. Taney.

The Steamboat Northern Indiana, her tackle, apparel and furniture. The Michigan Southern Railroad Company — Claimants & Appts

121 vs

Jason Parker and John Stevens, Libellants.

Appeal from the Circuit Court of

the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and it appearing from a statement filed by the counsel for the appellants that the matters in controversy in this cause had been agreed and settled between the parties. It is therefore now here ordered adjudged and decreed by this court that this suit be and the same is hereby dismissed with costs.

P. Mc L. Ch. Jus: Taney.

The Steamboat Northern Indiana, her tackle, apparel and furniture. The Michigan Southern Railroad Company. vs Libts & Appts Isaac Mack and Joseph H. Hilyard.	Appeal from the Circuit Court of the United States for the Northern District of New York.

125.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and it appearing

from the statement filed by the Counsel for the appellant that the matter in controversy in this cause has been equitably and settled between the parties It is therefore now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs

Per Mr Ch Jus Taney.

The State of Pennsylvania vs) Compt. The Wheeling and Belmont Bridge Company. Wm Otterson & George Capt.	Bill in Equity.

An account by Williams & M'Elfine having been filed in this case in the words and figures following, to wit:

"The Supreme Court of
the United States
The U.S. to Wm. & M. M'Elfine &c.

For services in examining the questions referred to by order of the Court dated 1st March 1852 in reference to the Wheeling Bridge case as per

Paid for making drawings of the river and the proposed draws — $75

and the same having been considered by the court. It is thereupon now here ordered by the Court that the said account be and the same is hereby approved, and that the Harding and Belmont Bridge Company, the defendants in this cause do pay the said sum of $75. to the said William J. McMillan upon being served with a copy of this order.

Pr. Mr. Jus: McLean.

Washington J. Bennett vs) Joshua Ward Admr.	Appl. Appellee

Mr. Phillips of Counsel for the appellant moved the Court that the judgment of affirmance rendered at this term in this cause be set aside, and that the case be ordered for a re-hearing. Whereupon, it is ordered by the court that the consideration of this motion be and the same is hereby continued to the next term, and that the Clerk do not issue a procedendo in this cause until the further order of this Court.

Alfred Garignac. vs Abraham Garrison	In error to the Circuit Court of the United States for the District of Missouri.

195

Mr Ewing of counsel for the defendant in error having read in open court and filed copies of the following writ of error and appeal bond, viz:

"United States of America S.S.
To the honorable the Judges of the Circuit Court of the United States for the District of Missouri - Greeting

(Seal)

Because in the record and proceedings as also in the rendition of the judgment of a plea which is in the said Circuit Court of the United States, before you at the April term 1854 between Abraham Garrison plaintiff and Alfred Garignac, defendant, a manifest error has happened to the great damage of the said Alfred Garignac, as by his complaint appears; he being willing that error if any hath been, should be duly corrected and full and speedy justice done to the parties aforesaid, in this behalf, do command you, if judgment be therein given, that then

under your seal, distinctly and openly you send the record and proceeding aforesaid with all things concerning the same to the Supreme Court of the United States, together with this writ, so that you have the same at Washington on the first Monday of December next, in the said Supreme Court to be then and there held, that the record and proceedings aforesaid being inspected, the said Supreme Court, may cause further to be done thereon to correct that error, which of right and according to the laws and customs of the United States should be done. Witness the Honorable Roger B. Taney, Chief Justice of the Supreme Court this 11th day of May in the year of our Lord.

Issued at office in the City of St. Louis under the seal of the Circuit Court of the United States for the Missouri district, the date last above written.

(Signed) Ben. F. Hickman, Clk

A Copy attest Ben. F. Hickman, Clerk."

"Know all men by these presents, that we Alfred Savignac, Francis Savignac and

Joseph Garrison are held and firmly bound unto the above named Abraham Garrison in the sum of fifteen hundred dollars to be paid to the said Abraham Garrison his executors or administrators, to the payment well and truly to be made, we bind ourselves and each of us jointly and severally and our and each of our heirs, executors and administrators, jointly by these presents, sealed with our seals and dated this 11th day of May 1853.

Whereas the above named Alfred Farrigue hath prosecuted a writ of error to the Supreme Court of the United States, to reverse the judgment rendered in the above entitled suit by the Circuit Court of the United States for the Virginia District at April term 1853

Now therefore the condition of this obligation is such that if the above named Alfred Farrigue shall prosecute his said writ of error to effect and answer all damages and costs, if he shall fail to make good his plea, then this obligation shall be void, otherwise the same shall be and remain in full force and virtue.

Sealed and delivered in the presence of

Alfred F. Farignac, (Seal) F. Farignac (Seal)
J. Garrison, (Seal) Joseph Garrison made oath before me, that after the payment of all his debts and liabilities, he was worth more than fifteen hundred dollars, the amount of the above bond. May 14th 1853.

Ben F. Hickman, Clerk

I approve the above bond - R. W. Wells
Dist. Judge U.S. for N.D.
16th May 1853.

and having also filed a transcript of the record of said case from the said Circuit Court of the of the United States for the District of Missouri from which it appears that the said Circuit Court on the 11th day of May 1853, and rendered a judgment in favor of the said Abraham Garrison and against the said Alfred Farignac, and having stated to the court that the plaintiff in error had altogether failed to file the record of said court in this cause, or in any to prosecute said writ of error, now here moved the court in pursuance of the 4th rule of this court, to have this writ of dockets and dismissed. On consideration whereof, it is now here ordered and adjudged by

this court, that this writ of error to the Circuit Court of the United States for the District of Missouri be and the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

Mr. McLean Dissenting.

111.	James Haynes. Plff in Er vs Gates County Bank	It is now here ordered by court that this cause be held under advisement and that the the same be and hereby is continued to the next term of this court.

112	Charles Dewhurst et al vs Plff in Er J. Fletcher et al	On consideration of the motion by Mr Duncan of counsel for the plaintiffs in error on the 19th instant to vacate this cause and of the papers thereof filed by him, it is now here ordered by this court that the said motion be and the same is hereby overruled.

Friday, May 25th 1855 Continued

144. James H. Lyons Exr &c vs James L. Anderson et al	It is now here ordered by the court that this cause be held under advisement and that the same be and hereby is continued to the next term of this court.
133. Tabitha King and al: vs Comfo Hugh Thrasell	It is now here ordered by the court that this cause be held under advisement and that the same be hereby is continued to the next term of this court.

Proclamation being made, the court is adjourned to the time and place appointed by law.

1793.

At the Capitol of the United States in the City of Washington and District of Columbia being the present seat of the National Government of the United States, on the first Monday of December (being the fourth day of the same month) in the year of our Lord One thousand eight hundred and fifty four, and of the Independence of the United States the Seventy ninth; the Supreme Court of the United States met agreeably to law. -

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benj.n R. Curtis,	
	John A. Campbell.	

Josiah L. Hoover, Esquire, Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

The State of Pennsylvania. Comp.t
vs
The Wheeling and Belmont Bridge Company Def.t -

and

The State of Pennsylvania. Comp.t
vs
The Wheeling & Belmont Bridge Company.

On motion of Mr. Reverdy Johnson of Counsel for the Respondents and with the assent of Mr. Stanton of Counsel for the Complainant. It is now here ordered by the Court that the several motions in these causes be and the same are hereby set down for argument on next Monday the 11th instant.

Mr. Chief Justice Taney announced to the Bar that the Court would commence the call of the docket tomorrow under the 36th Rule. -

Proclamation being made the Court is

Pursuant to adjournment the Court met this morning at the Capitol –

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjn R. Curtis &	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Blair. It is ordered that Britton A. Hill, Esquire of Missouri be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On Motion first made to the Court in this behalf by Mr Edwin M. Stanton. It is ordered that Daniel C. Morton Esqr of Ohio be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly. —

Alfred Savignac vs Pff in Er. Abraham Garrison	Mr Baxter of Counsel for the Plaintiff in error now here moved the Court to set down for argument on next Friday the motion filed by him in this cause this day; On Consideration whereof, it is now here ordered by the Court that the said motion be and the same is hereby set down for argument on next Friday the 18th instant.

103.

Grey P. Webb Exr — vs Pff in Er Lessee of Polly Weatherhead	Mr Gillet of Counsel for the Plaintiff in error suggested the death of Polly Weatherhead the defendant in error, since the last Continuance of this cause — Whereupon, it

5.

is now here ordered by the Court that this cause be and the same is hereby postponed for the present. –

3.	Arthurs, Nicholson & Co vs Jesse Hart. –	The argument of this cause was commenced by Mr Wylie of Counsel for the Plaintiffs in error continued by Mr Laurence of Counsel for the defendant in error and concluded by Mr Wylie for the Plaintiffs in error. –

4.	The York & Maryland Line Railroad Company vs Pitkin & Ross McManus –	The argument of this cause was commenced by Mr J. Mason Campbell of Counsel for the Plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock. –

 Wednesday December 6th 1854.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate Justices.
	Peter V. Daniel	
	Samuel Nelson	
	Robert C. Grier	
	Benjn. R. Curtis	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Cushing. It is ordered that George N. Stewart Esquire of Alabama be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Thomas Barnard's heirs &al		Mr Lawrence of
34.	vs.	Counsel for the
	Appts.	Appellees having
Chester Ashley's heirs &al		filed and read

in open Court a Suggestion of a diminution of the record in this Cause in the words and figures following, towit

"That the Clerk of the Circuit Court of the United States for the Eastern District of Arkansas has failed and omitted to copy correctly in the transcript of the record and proceedings of this case the deposition of Allen Martin taken in the same cause on the 4th day of February 1852, but has incorporated into said record what purports to be a copy of said record but which is not a true copy of said deposition as filed in said cause, but is incorrect in a material matter, towit, in the last paragraph but one of the answer to the 5th interrogatory and in the last three words of said paragraph the answer of the witness is incorrectly copied as the "South East Corner" when

when the words should have been and are in the original on file in the said Clerk's office, the "North East Corner." "

By reason of which omissions and errors aforesaid the said Counsel now here moved the Court to award a writ of Certiorari to be directed to the Judges of the said Circuit Court requesting them that searching the records and proceedings of said Court in this cause they shall certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found. On Consideration whereof, it is now here ordered and decreed by this Court that a writ of Certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Circuit Court Commanding them to certify under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause and return the same with the said writ of Certiorari forthwith to this Court. —

Pr. R. Ch: Jus: Taney. —

4.	The York & Maryland Line Railroad Company. in Error. vs Ross Winans	The argument of this cause was continued by Mr. George T. Campbell and Mr. Latrobe for the defendant in error and concluded by Mr. Reverdy Johnson of Counsel for the plaintiff in error. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock. —

 Thursday December 7th 1854.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices.
	Robert C. Grier	
	Benj.n R. Curtis	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal

William Thomas Carroll, Clerk.—

Proclamation being made the Court is opened.

On Motion first made to the Court in this behalf by Mr Cutting. It is ordered that James Ridgway, Esquire, of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.—

5.	Guy P. Webb et al — Plffs in Er. vs Lessee of Polly Wallbaker	This cause was argued by Mr. Gillet of Counsel for the plaintiffs in error. (Mr. Justice Catron did not sit in this cause.)
6.	Marcelin Haydel — Plff in Er. vs François Lafreene	This cause was argued by Mr. Lunn of Counsel for the plaintiff in error.
8.	Israel W. Raymond owner &c Claimt &c — Applt vs William Tyson —	The argument of this cause was commenced by Mr. Lord of Counsel for the appellant, and continued by Mr. Cutting for the appellee. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock. —

Friday December 8th 1854.

Pursuant to adjournment the Court met this morning at the Capitol -

Present

The Honorable	Roger B. Taney.	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices.
	Robert C. Grier	
	Benj.n R. Curtis	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk. -

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Cutting. It is ordered that Colin M. Ingersoll, Esquire, of Connecticut be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly. —

8.	Israel W. Raymond owner &c claimt &c - Appt vs William Tyson	The argument of this cause was concluded by Mr Lord of counsel for the appellant.
9.	The Troy Iron and Nail Factory - Appt vs George Odiorne et al	This cause was argued by Mr Curtis of Counsel for the appellants. - (Mr Justice Curtis having been of counsel did not sit in this cause.)
11.	Joseph Battin et al vs Jeffries James Taggert = Joseph Battin et al	The argument of these Causes was commenced by Mr Keller of Counsel for the plaintiffs in error.
12.	vs Jeffries Robert Ratcliffe et al = Joseph Battin et al	
13.	vs Jeffries John S. Hewes -	

Proclamation being made the Court is adjourned until Monday morning at eleven O'clock. -

7806. Monday December 11th 1854.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices.
	Robert C. Grier	
	Benjn R. Curtis	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal

William Thomas Carroll, Clerk. –

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. T. Ewing. It is ordered that Daniel Kelso, Esquire, of Indiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly. –

	Joseph Ballin et al —	The argument of these
11.	vs Pffs in Er	causes, was continued
	James Taggart —	by Mr Keller of
	Joseph Ballin et al —	Counsel for the Pffs
13.	vs	in error and by Messrs
	Robert Ratcliffe et al	McGeorge & Campbell,
	Joseph Ballin et al	Sheppard & Mallory
13.	vs Pffs in Er	for the defendants
	John G. Hewes —	in error. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Tuesday December 12th 1854.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice.
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benj.n R. Curtis &	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Attorney General Cushing. It is ordered that James Hughes Esquire of Wisconsin be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly. —

	Joseph Battin & al.	
11.	vs Joffin &	
	James Taggert.	The argument of
	Joseph Battin & al	these Causes was
12.	vs Joffin &	concluded by
	Robert Ratcliffe	Mr. Dallas of
	James Battin & al	Counsel for the
13.	vs Joffin &	Plaintiffs in Error.
	John G. Hughes	

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock. —

Wednesday December 13th 1854.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benj: R. Curtis	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Seward. It is ordered that Hale Kingsley and T. L. Van Hoevenbergh Esquires, of New York be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

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2. The State of Pennsylvania
vs
The Wheeling and Belmont Bridge Company et al.

The argument of the several motions in this case for a writ of Sequestration against the Corporation for an attachment against its Officers for a writ of assistance to execute the decree of this Court and for a taxation of Costs was commenced by Mr. Stanton in support thereof and continued by Messrs Russell and Reverdy Johnson in opposition thereto. –

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock. –

7812. Thursday December 14th 1854.

Pursuant to adjournment the court met this morning at the Capitol -

Present

The Honorable	Roger B. Taney.	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj: R. Curtis	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal

William Thomas Carroll, Clerk. -

Proclamation being made the Court is opened. -

Zebedee Ring, David A. Bokee, Robert L. Hone & John P. Hone Exors of Philip Hone dec'd & Cornwell L. Franklin. - Compts

30. To

Hugh Maxwell

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Southern District of New York. -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on the points or questions on which the Judges the said Circuit Court were divided in opinion and which were certified to this court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by Counsel — On Consideration whereof, it is the opinion of this Court, that the first question certified by the Circuit Court in this case must be answered in the negative, to wit, that upon a true Construction of the Revenue Laws of the United States, the additional duties of 20 per cent which have been levied and collected by, and paid to, the defendant as Collector of the Port of New York, at the Port of New York, as stated in his answer, under and by virtue of the 8th Section of the act entitled "An act for reducing the duties on imports, and for other purposes," passed July 30th in the year 1846,

were not to be treated as Penalties, and one moiety thereof divided between, and paid in equal proportions to and among the Collector, Naval Officer, and Surveyor of the Port of New York, holding said offices at the time of the levying, Collection and payment thereof in the said Port of New York, as claimed by the Plaintiffs in their bill in this cause.-

And this court is further of opinion that as the decision of the first question in the negative necessarily disposes of the case, it is unnecessary to consider and respond to the other questions certified. Whereupon it is now here ordered and adjudged by this court that it be so certified to the said Circuit Court.-

Pr. Mr. Jus. Curtis. -

30. Tebedee King vol. Compt. vs Hugh Maxwell

On the motion of Mr. Attorney General Cushing of Counsel for the Respondent it is now here ordered by the court that a writ of Procedendo in this cause may be

issued by the Clerk during the present term of the Court. —

2.	The State of Pennsylvania vs Compt. The Wheeling & Belmont Bridge Company & al	The argument of the several motions in this case for a writ of sequestration against the Corporation, for an attachment against its officers for a writ of assistance to execute the decree of this court and for a taxation of costs, was continued by Mr Reverdy Johnson in opposition thereto and concluded by Mr Stanton in support thereof. —
7.	The State of Pennsylvania vs The Wheeling & Belmont Bridge Company. —	The argument of the motions in this case for a writ of sequestration against the Corporation and for an attachment against its officers was commenced by Mr. Stanton in support thereof. —

Proclamation being made the court is adjourned until tomorrow morning at

7816. Friday December 15th 1854.

Pursuant to adjournment the court met this morning at the Capitol -

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices. -
	Samuel Nelson	
	Robert C. Grier	
	Benjn R. Curtis	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk. -

Proclamation being made the court is opened.

1.	The United States. appts vs Daniel W. Coxe et al	Mr. Attorney General Cushing of Counsel for the appellants, with the assent of

Mr. Coxe of Counsel for the appellees, moved the Court to set down this cause for argument on Monday the 1st of January next. Whereupon this court not being now here

sufficiently advised of and concerning what order to render in the premises took time to consider.—

3.	The State of Florida. vs Compt The State of Georgia	Mr. Attorney General Cushing filed a petition and other papers, praying leave to intervene in this cause, in behalf of the United States. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.—
99.	Josiah T. Stafford & Wife.— Apltes vs Union Bank of Louisiana	Mr. Coxe of Counsel for the appellee moved the Court to dismiss this cause because the appellants have no sufficient bond. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.—

Josiah S. Stafford & wife 105. vs The Canal & Banking Comp'y of New Orleans.	Mr. Coxe of Counsel for the appellee moved the Court to dismiss this cause because the appellants have filed no sufficient bond - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider. —

Josiah S. Stafford & wife 5. vs The Union Bank of Louisa	Mr. Coxe of Counsel for the appellee moved the Court that the rule upon the District Judge to show cause why a Peremptory mandamus should issue, be made absolute - Whereupon this Court not being now here sufficiently advised of and Concerning what order to render in the premises took time to Consider -

6.	Josiah S. Stafford & wife vs Apptz The New Orleans Canal & Banking Company.	Mr Coxe of counsel for the appellee moved the court that the rule upon the District Judge to show cause why a Peremptory Mandamus should not issue, be made absolute - Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider. -

34.	Thomas Barnard's heirs vs Apptz Chester Ashley's heirs &c	Mr Laurence of counsel for the appellees suggested the death of Silas Craig one of the appellees in this cause and asked leave to make proper parties - Whereupon it is now here ordered by the court that the leave prayed for be and the same is hereby granted, and that this cause be continued to the next term. -

The State of Pennsylvania vs The Wheeling & Belmont Bridge Company —	The argument of the motions in this cause for a writ of sequestration against the corporation, and for a writ of attachment its officers was continued by Mr Stanton in support thereof, by Mr Reverdy Johnson in opposition thereto and concluded by Mr Stanton in support of the motions.

Robert Wickliffe vs Appt Thomas D. Owings	This cause was argued by Mr Preston of Counsel for the Appt

Proclamation being made the Court is adjourned until Monday morning at eleven O'clock. —

Monday December 18th 1854.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benj. R. Curtis	
	John A. Campbell	

Jonah D. Hoover Esqure, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

4. The York & Maryland Line Railroad Comp'y vs Pfaff in Er Ross Winans —

In error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Eastern District of Pennsylvania and was argued by Counsel - On Consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the State of Pennsylvania. —

Wm. M. Rs. Campbell

James Montgomery & William E. Murphey 130. vs The Steamer Jewess and John T. Tardy & Philip Auld	Appeal from the Circuit Court of the United States for the District of Maryland. —

Mr. Reverdy Johnson of Counsel for the appellees having filed and read in open Court the following Certificate, to wit:

"The United States of America
District of Maryland, Set
In the Circuit Court November Term 1853.

James Montgomery William E. Murphy vs The Steamer Jewess & Jardy & Auld --	Cross appeals from the District Court - Record filed 31 March 1853. November 18th 1853. The court passed the following decree.-

Decree

James Montgomery William Murphy vs The Steamer Jewess & John T. Jardy & Philip Auld. -	Circuit Court of the United States. November Term 1853. Cross Appeals.

This cause standing ready for hearing, and the Libel, answer, and proofs and proceeding in the cause being read and considered by the Court. It is thereupon this 16th day of November 1853 ordered, adjudged and decreed by this court, that so much of the decree of the District Court as directs the said Steamer Jewess to be sold, and the proceeds brought in this Court, be and the same is hereby annulled and reversed and that so much of the said

decree as ordered and adjudged that James Montgomery, John Whittington and William Pitts, Stipulators in behalf of the Libellants in the District Court pay to the Respondents John T. Tardy and Philip Auld, the sum of thirteen hundred and fifty dollars with interest from the 15th of November 1852, be, and the same is hereby affirmed. –

"And it is further ordered, adjudged and decreed by this Court that the appeal of the said John T. Tardy and Philip Auld from the aforesaid decree of the said District Court be and the same is hereby dismissed.

R. B. Taney

William T. Giles –

November 29th 1853.

Prayer of appeal by Montgomery and Murphy, entered in open Court and allowed. –

"I, Thomas Spence, Clerk of the Circuit Court of the United States for the fourth Circuit in and for the Maryland District, do hereby certify that the aforegoing is a true extract taken

from the record and proceedings of the Circuit Court aforesaid.--

In testimony whereof, I have unto subscribe my name and affix the Seal of the said Circuit Court this eighth day of December in the year of our Lord one thousand eight hundred and fifty four.-

Seal

Tho. Spicer, Clk
Circt Ct"

and having stated that the appellants had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal- now here moved the court in pursuance of the 63d rule of this court to have this appeal docketed and dismissed- On consideration whereof, it is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the District of Maryland be and the same is hereby dismissed with costs, and that this cause be and the same is hereby

remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding. --

Jr: Mr: Ch. Jus. Taney. --

The Norwich and New London Steamboat Company. a corporation &c, owners of the Steamboat Worcester, her Engine, tackle &c. -

131 vs Libellants & Appts

The Steamboat "Bay State" her Steam Engine Boiler &c - Richard Borden, Jefferson Borden, Nathan Durfee, James S. Warner, Mary B. Durfee, Walter Paine 3d, Joseph Butler, David S. Brown, Wm S. Tisdale, Wm Borden, Robert H. McCurdy, Herman L. Aldrich & William Spencer. --

Appeal from the Circuit Court of the United States for the Southern District of New York. -

Mr Lord of Counsel for the appellees having filed and read in open Court the following certificate, to wit -

"U. S. Circuit Court
Southern District of New York.

"I. John W. Nelson Clerk of the Circuit Court of the United States for the Southern District of New York do hereby certify that the above cause in admiralty was heard and a decree entered in favor of the Claimants on the eighth day of October 1853; that an appeal was taken in the cause and allowed on the 27th of the same month and year, and that no return has been made to the same.-

John W. Nelson, Clerk."

and having stated that the appellants had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal now here, moved the Court in pursuance of the 6th rule of this Court, to have this appeal docketed and dismissed.-

On Consideration whereof, it is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Southern District of New York be and the same is hereby docketed and dismissed with cost,

and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding. —

Tr. Mr. Ch. Jus. Taney. —

Samuel Mayer and Henry Mayer - Appts vs 14. The Galliott Venelia, (Eades Master) her tackle, apparel and furniture. —	Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and it appearing to the court here that this is the Second Term at which this case has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this appeal should be dismissed at the costs of the appellants, pursuant to the 35th rule of this Court - Whereupon

it is now here ordered and decreed by this Court that this cause be and the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice. —

Pr. Mr. Ch. Jus. Taney. —

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15. The United States. Plffs in Error
vs
Sixty Seven Packages of Dry Goods. Jules Levee Claimt

Mr. Attorney General Cushing of Counsel for the Plaintiffs in error moved the Court that the argument of this cause be postponed for the present in consequence of Mr. Benjamin of Counsel for the defendant in error — On consideration whereof, it is now here ordered by the Court that said motion be and the same is hereby overruled. —

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16. The United States. Plffs in Error.
vs
Nine Cases of Silk Hats.
Paul Thiem, Claimt

Mr Attorney General Cushing of Counsel for the Plaintiffs in error moved the Court that the argument of this cause be postponed for the present, in Consequence of the absence of Mr Benjamin of Counsel for the Defendant in error. On Consideration whereof, it is now here ordered by the Court that said motion be and the same is hereby overruled.

17. The United States. Plffs in Error
vs
one Package of Merchandise,
Lion, Pinard & Co. Claimts

Mr Attorney General Cushing of Counsel for the Plaintiffs in error moved the Court that the argument of this cause be postponed for the present in Consequence of the absence of Mr Benjamin the Counsel for the defendants in error. On Consideration whereof, it is now here ordered by the Court that said motion be and the same is hereby overruled.

18. The United States. Appts.
vs
The Case of 6 Clocks.
Lien, Pentard & Co. Claimts.

Mr Attorney General Cushing of Counsel for the Plaintiffs in error moved the Court that the argument of this cause be postponed for the present in consequence of the absence of Mr. Benjamin of Counsel for the defendants in Error - On Consideration whereof, it is now here ordered by the Court that said motion be and the same is hereby overruled. -

15. The United States. Appts
vs
Sixty Seven Packages of Dry Goods. John Lewis Claimt

This cause was submitted to the Consideration of the Court on the record and printed Brief of Mr Attorney General Cushing of Counsel for the Plaintiffs in error.

16.	The United States. Pffin Err vs Nine Cases of Silk Hats. Paul Trieau, Claimt	This cause was submitted to the consideration of the Court on the record and printed brief of Mr Attorney General Cushing of Counsel for the Pffs in error.
17.	The United States. Pffin Err vs One Package of Merchandize, Lion, Pintard & Co. Claimts	This cause was submitted to the consideration of the Court on the record and printed brief of Mr Attorney General Cushing of Counsel for the Pffs in error.
18.	The United States. Pffin Err vs One Case of Clocks. Lion, Pintard & Co. Claimts	This cause was submitted to the consideration of the Court on the record and printed brief of Mr Attorney General Cushing of Counsel for the Pffs in error.

Alexander M. Laurence vs. claim[t] of the Ship Harriet. To Charles Mouteru —	The argument of this cause was commenced by Mr Cutting of Counsel for the appellants and continued by Mr Sedd of Counsel for the appellee. —

19.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

 Tuesday December 19th 1854.

Pursuant to adjournment the Court met this morning at the Capitol.—

Present

The Honorable Roger B. Taney, Chief Justice

John McLean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Robert C. Grier
Benjn R. Curtis
John A. Campbell

} Associate Justices.

Jonah D. Hoover, Esquire, Marshal

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.—

	Grey P. Webb & al. vs Peyton &	In error to the Circuit
5.	John Doe, Lessee of	Court of the United
	Polly Weatherhead	States for the Middle District of Tennessee.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States

for the Middle District of Tennessee and was argued by Counsel. On Consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs. –

Pr. M. Chs. Grier. –

	John Arthurs, Wm Nicholson, Jonas R. McClintock and Wm Stewart, doing business under the firm and name of Arthurs, Nicholson & Co. vs Jesse Hart.	In error to the Circuit Court of the United States for the Eastern District of Louisiana.
3.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel. On Consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause

be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice, and the opinion of this court.

Pr. Mr. Js: Nelson. –

2.	Pierre Barribeau and Euphrasie T. Perry – vs Joshua B. Brant —	Appeal from the Circuit Court of the United States for the District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri and was argued by Counsel – On Consideration whereof, it is now here ordered and decreed by this Court that this appeal as to Pierre Barribeau be and the same is hereby abated pursuant to the 61st rule of this court – And it is further ordered and decreed that appeal as to Euphrasie T. Perry be and the same is hereby dismissed with costs. –

Pr. Mr. Ch. Js. Taney. –

10. Washington S. Bennett vs Joshua W. Motte, appt

On Consideration of the motion for leave to reargue this cause it is now here ordered by the Court that the said motion be and the same is hereby overruled, and that the order of this court of the 25th May last in this cause be and the same is hereby rescinded and annulled, and that the judgment in this cause on the 28th day of April last do stand as the judgment of this Court. —

22. The United States. appts vs Pearson B. Reading

On the motion of Mr. Attorney General leave of Counsel for the appellants and with the assent of Mr. Laurence of Counsel for the appellee it is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court. —

19.	Alexander M. Laurence Val, Claimt of the Ship Comet. - applt vs Charles Menturn	The argument of this cause was concluded by Mr Cutting of counsel for the appellants. -
23.	The Propeller Monticello John Wilson, Claimtc vs applt Gilbert Mollison	The argument of this cause was commenced by Mr Gillet of counsel for the appellant. -

Proclamation being made the Court is adjourned until tomorrow morning at eleven Oclock. -

Wednesday December 20th 1854.

Pursuant to adjournment the court met this morning at the Capitol -

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices -
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover, Esq. Marshal, - William Thos Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Reverdy Johnson - it is ordered that I. L. Pelegrin Esquire of South Carolina be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly. -

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	The Troy Iron and Nail Factory. - appl[t]	Appeal from the Circuit Court of the United States for the District of Massachusetts. -
9.	vs	
	George Odiorne Jr. and Francis Odiorne -	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by Counsel - On Consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. -

Pr. Mr. Js. Catron -

(Mr. Justice Curtis having been of Counsel did not sit in this cause.)

The Propeller Monticello John Wilson, Claimt &c 23. vs Gilbert Mollison -	The argument of this cause was continued by Mr. Grant of Counsel for the appellee and concluded by Mr. Grant for the appellant.

The Bank of Tennessee. vs Jeffries &c. 24 Lewis B. Horn -	This cause was argued by Mr. Jarvis of Counsel for the defendant in error, and submitted on a

printed argument by Mr. Dunbar in behalf of plaintiffs in error. -

Henry R. W. Hill & al 26. vs appts James L. Mack & al	Mr Lanier of Counsel for the appellants having filed a suggestion of the death of Henry R. W. Hill one of the appellants since the last continuance of this cause, moved the Court for leave to make the proper parties and to continue this cause to the next term - On consideration whereof, it is now here ordered by the Court that this cause be and the same is hereby continued to the next term with leave to the Counsel to make the proper parties appellants in this cause. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock. —

7842. Thursday December 21st 1854.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Roger B. Taney,	chief Justice
John McLean	
James M. Wayne	
John Catron	Associate
Peter V. Daniel	Justices.
Samuel Nelson	
Robert C. Grier	
Benj.a R. Curtis	
John A. Campbell	

Isaac L. Hoover, Esquire, Marshal

William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

	Joseph Battin, Patentee	In error to the Circuit
	& Samuel Battin, assignee	Court of the United
11.	vs.	States for the Eastern
	James Jaggert —	District of Penn.-
		sylvania. —

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern

District of Pennsylvania and was argued by Counsel - On Consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo. -

Js. M. Jns: McLean

12.	Joseph Ballin, Patentee & Samuel Ballin, assignee vs Pltffs in Er Robert Ratcliffe and John Johnson —	In error to the Circuit Court of the United States for the Eastern District of Pennsylvania. -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by Counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court

in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo. —

Pr. Mr. Jus. McLean. —

Joseph Batten, Patentee & Samuel Batten, assignee vs Pliff in Er John G. Hewes —	In error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

13.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo. —

Pr. Mr. Jus. McLean —

William B. and Victoire Shields et al - apfts vs 28. Robert R. Barrow	Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and the appellants having been three times solemnly called by the Marshal to come into court and prosecute this appeal, and having failed so to do. it is thereupon on the motion of Mr Janin of Counsel for the appellee, ordered and decreed by this Court that this cause be and the same is hereby dismissed with costs. -

P. V. Ch. Jus. Taney. -

This cause was docketed and dismissed &c. - See 11 Jan. 1855.

Catharine Kinns wife of William Warrance - vs Comp't & Aff't 29. Pierre Soulé Jr. et al	Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and the appellant having been three times solemnly called by the Marshal to come into court and prosecute this appeal, and having failed so to do. it is thereupon, on the motion of Mr. Lanin of counsel for the appellees, ordered and decreed by this court that this cause be and the same is hereby dismissed with costs. -

Pr. Mr. Ch: Jus: Taney. -

25. Adam D. Stewart - vs Piffin &. The United States.

The argument of this cause was commenced by Mr. W. J. Cox of counsel for the plaintiff in error, continued by Mr. Bibb of counsel for the defendants in error and concluded by Mr. Cox for the plaintiff in error. -

27.	White Stevens v&c vs Jeffs &c Paschal Rose's adm'r.	On the motion of Mr Janin in behalf of Mr Benjamin of Counsel for the plaintiffs in error it is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court. —

117.	John B. Craighead &al vs Appts Joseph E. Wilson &al	Mr Janin of Counsel for the appellees having filed a suggestion of the death of John B. Craighead and James E. Robertson two of the appellants, moved the Court to continue this cause with leave to make the proper parties. On consideration whereof, it is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this court with leave to make the proper representatives of the said John B. Craighead and James E. Robertson appellants. —

31.	William Fontain — vs — Wm Ravenel	The argument of this cause was commenced by Mr Gerhard of Counsel for the Appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock. —

Pursuant to adjournment the Court met this morning at the Capitol -

Present.

The Honorable	Roger B. Taney.	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benj: R. Curtis	
	John A. Campbell	

Josiah S. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Gerhard - it is ordered that F. Carroll Brewster Esq. of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly. -

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1850. Friday December 22d 1854. Continued.

John B. Craighead vs
&
Joseph E. Wilson vs.

Mr. Lanin of counsel for the appellees having suggested the death of John B. Craighead and James E. Robertson, two of the appellants, and that Thomas Brown Craighead another of the appellants in this cause, has been found a lunatic, and that a Guardian has been appointed to him, now here moves the Court for an order under the 28th rule of Court and for the usual order of publication to make the proper representatives parties. On Consideration whereof, it is now here ordered by the Court that unless the proper representatives of the said appellants shall voluntary become parties within the first ten days of the ensuing Term the appellees shall be entitled to have the appeal in this cause dismissed.—

Provided that a copy of this order shall be published in some newspaper at the seat of Government in which the Laws of the United States shall be printed by authority, for three successive weeks at

least sixty days before the beginning of the term of the Supreme Court next ensuing.

The United States. appts vs Pearson B. Reading.	Mr Lawrence of Counsel for the appellee having filed and read in open Court a Suggestion of a diminution of the record in this cause in the words and figures following, to wit:-

22.

"That the depositions of Samuel I. Hensley and Henry S. Ford which were taken on behalf of the appellee in the Court below and filed and read in said cause have been entirely omitted by the Clerk of the District Court of the United States for the Northern District of California".-

By reason of which omissions and errors aforesaid the said Counsel now here moved the Court to award a writ of Certiorari to be directed to the Judge of the said District Court requiring him that searching the records and proceedings of said Court in this cause he shall

certify to this court, under the seal of the said District Court, whatever omissions and errors shall be found. — On Consideration whereof, it is now here ordered and decreed by this court that a writ of certiorari be and the same is hereby awarded to be issued forthwith, and to be directed to the Judge of the said District Court commanding him to certify under the seal of the said District Court whatever omissions and errors shall be found in this cause, and return the same with this writ of Certiorari forthwith to this court. —

Pr. Mr. Ch. Jus. Taney. —

31.	William Fontain vs appt William Ravenel	The argument of this cause was concluded by Mr. Pelligru of Counsel for the appellee. and submitted on a printed argument by Mr. W. M. Meredith in behalf of the appellant. —

56.	James L. Olney. appt vs The Steamship Falcon &c George Law & al. Claimts	The motion filed by Mr Cutting to dismiss this cause for the want of jurisdiction was argued by Mr Cutting in support thereof and by Mr Bradley in opposition thereto. —
57.	James Udall. appt vs The Steamship Chieve George Law & al, Claimts	The motion filed by Mr Cutting to dismiss this cause for the want of jurisdiction was argued by Mr Cutting in support thereof and by Mr Bradley in opposition thereto.
133.	The United States. appts vs The Minnesota & North Western Railroad Comp'y	Mr Attorney General Cushing moved the court to dismiss this cause. which was opposed by Mr Reverdy Johnson of counsel for the appellees. Whereupon it is now here

ordered by the Court that this motion be set down for argument on next Friday the 29th instant. —

Proclamation being made the Court is adjourned until Tuesday morning at eleven o'clock. —

Tuesday December 26th 1854.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	Jeremiah M. Wayne.	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjn. R. Curtis &	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Ferdinand Clark. appt.	The argument of
32. vs	this cause was com-
Benjamin C. Clark et al	menced by Mr.
	Laurence of Counsel

for the appellant and continued by Mr. Carlisle of counsel for the appellees. —

Proclamation being made the Court is adjourned until tomorrow morning at

Wednesday December 27th 1854.

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjn. R. Curtis	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. Cutting. it is ordered that Elihu B. Washburn. Esquire of Illinois be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly. —

On motion first made to the Court in this behalf by Mr Ames. it is ordered that Thomas A. Jenckes Esquire, of Rhode Island be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly. –

32	Ferdinand Clark. Appt vs Benjamin C Clark & al	The argument of this cause was continued by Mr Ruedy Johnson of Counsel for the appellees and concluded by Mr Nelson of Counsel for the appellant. –

33.	The City of Providence vs Pff in Er Daniel R. Clapp.	The argument of this cause was commenced by Mr Ames of Counsel for the plaintiff in error. –

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock. –

1858. Thursday December 28th 1854.

Pursuant to adjournment the Court met this morning at the Capitol -

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj: R. Curtis	
	John A. Campbell	

Jonah D. Hoover Esquire, Marshal -

William Thomas Carroll, Clerk. -

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Reverdy Johnson. it is ordered that Edward M. Gardner Esquire, of Massachusetts be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly. —

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33. The City of Providence vs Effinto. Daniel R. Clapp. — the argument of this cause was continued by Mr Ames for the Plaintiff in error, by Mr Seneks for the defendant in error and concluded by Mr Ames for the Plaintiff in error. —

35. The Steamer General Hamer, Wm L. Cozens, Master &c Claimt — appts vs Roswell Frisbee, owner of the Steamer Arkansas &c. — This cause having been called for argument and no counsel appearing ready to proceed with the same. It is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of court. —

36. Seba M. Bogart &c vs The Steamboat Johnday &c, George Logan, Claimt — This cause was argued by Mr Cutting of Counsel for the appellee, and submitted by Mr Rowdy Johnson

1860. Thursday December 28th 1854. Continued

37.	Charles H. McBlair, adr of Lyde Goodwin. appt vs Robert Oliver's Exrs	The argument of this cause was commenced by Mr Davis of Counsel for the appellant.

Proclamation being made the court is adjourned until tomorrow morning at eleven oclock. —

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney.	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj: R. Curtis &	
	John A. Campbell.	

Jonah D. Hoover, Esquire, Marshal

William Thomas Carroll, Clerk.—

Proclamation being made the Court is opened.

James Stevens. Appt.		Mr. Ames of Counsel for the appellees having filed and read in open Court a suggestion of a diminution of the record in this cause in following words and figures, to wit:—
52.	vs	
Royal Gladding & al		

The omission of "the deposition

of one Charles Greene Dep'y Sh'ff of the County of Bristol, Commonwealth of Massachusetts, filed in the cause in said Court, entitled James Stevens vs Isaac H. Cady. being properly part of the record in the above entitled cause"—

By reason of which omissions and errors aforesaid the said Counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the District of Rhode Island, commanding them that searching the records and proceedings of said Court in this cause they shall certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found. On Consideration whereof, it is now here ordered and decreed by this Court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Circuit Court commanding them to certify under the seal of the said Circuit Court whatever omissions and errors shall be found in this

cause and return the same with the said writ of certiorari forthwith to this court. -

Pr. Mr. Ch. Jus. Taney. -

Widow & Heirs of Benj. Poydras de la Lande. -
vs
Jeffs in Co.
The Treasurer of the State of Louisiana. -

114.

Mr. Dunbar of Counsel for the defendant in error moved the Court for leave to strike out his appearance in this case and also to dismiss this cause on the ground that no process has been issued against or served on the Chief Executive Magistrate and Attorney General of the State of Louisiana pursuant to the 8th rule of this court.

Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider. -

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Lyde Goodwin's adms.
vs
Apt.
Robert Oliver's Exors

37.

the argument of this cause was continued by Mr. Davis of

Counsel for the appellant and by Mr. I. M. Campbell for the appellees. –

Proclamation being made the court is adjourned until Tuesday morning at eleven O'clock. –

Tuesday January 2d 1855.-

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj.n R. Curtis &	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Reverdy Johnson. it is ordered that A. H. Evans Esquire of Texas and George W. Dobbin Esquire of Maryland be admitted to practice as Attorneys and Counsellors of this Court and they may severally proceed accordingly.-

On motion first, made to the Court in this behalf by Mr. Bradley. it is ordered that Robert R. Scott, Esquire, of Pennsylvania be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly. —

20.	James Haynes. Jeffin Ex vs The President, Directors and Company of the Yates County Bank. —	In error to the Circuit Court of the United States for the District of Michigan. —

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Michigan and was argued by Counsel. On Consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Michigan. —

By a divided Court. —

Mr. Chief Justice Taney did not sit in this cause.

21.	James Haynes Jr. in Er vs James L. Andrews and James L. Hunt. —	In error to the Circuit Court of the United States for the District of Michigan. —

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Michigan and was argued by counsel. On Consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court of this Court be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Michigan. —

By a divided Court

Mr. Chief Justice Taney did not sit in this cause. —

28.	Victoire Shields &al vs Robert R. Barrow appts	Mr. Reverdy Johnson (in behalf of Mr Benjamin) as counsel for the appellants

moved the court to rescind the decree dismissing this cause entered on a previous day of the present term, to wit: on Thursday the 21st ultimo, and for leave to file a printed argument in behalf of the appellants. On consideration whereof, it is now here ordered by the court that said motion be and the same is hereby overruled. —

40.	Edward M. West Pltff in Er vs Joseph Cochran —	Mr Blair of counsel for the plaintiff in error moved the

court to extend the time under the 53d rule for the argument of this cause and for leave to three counsel to represent the interests of the plaintiff in error. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider. —

37 Lyde Goodwin's admx
vs
Robert Oliver's Exrs

The argument of this Cause was Continued by Mr. Reverdy Johnson for the appellees and Concluded by Mr. Martin for the appellant.-

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.-

 Wednesday January 3d 1855. -

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Roger B. Taney,	Chief Justice.
John McLean	
James M. Wayne	
John Catron	Associate
Peter V. Daniel	Justices. -
Samuel Nelson	
Robt C. Grier	
Benj: R. Curtis	
John A. Campbell	

Jonah D. Hoover Esq. Marshal
William Thomas Carroll, Clerk. -

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Mace - it is ordered that George W. Lawson Esquire of Oregon be admitted to practice as an Attorney and Counsellor of this court and he was sworn accordingly. -

Robert Wickliffe. appt
vs
Thomas D. Owings —

Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky and was argued by Counsel — On Consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby reversed and annulled. And this court proceeding to render such decree as the said Circuit Court ought to have rendered, doth order, adjudge and decree that the complainant has shown a legal title to all those tracts or parcels of land which are described and set forth in the two deeds in the record executed by Owings and Bascom dated 6th April 1837, and marked No 54. and by A. Trumbo Commissioner dated 25th day of September 1848 and

marked No. 58, in both of which the said Complainant is the grantee, but excepting from this decree the lands which were conveyed to Mary N. Bascom by the said Complainant the 6th April 1837, and as to which this decree has no application.

And it is further ordered, adjudged and decreed by this Court that the said Complainant has shown sufficient matter of Equity to entitle him to a release by Thomas D. Owings or his heirs at law or devisees or other legal representatives of all their claim and to be quieted in the possession and enjoyment of the said parcels of land. —

And it is further ordered, adjudged and decreed that the said Complainant do recover his costs in this cause in this Court of and from the said defendant. —

It is therefore further ordered, adjudged and decreed by this Court that this cause be and the same is hereby remanded to the said Circuit Court with instructions to cause an appropriate deed of release and quit claim to be prepared and executed

by the said defendant or his heirs at law or divisees or other legal representatives of their rights as aforesaid, and also that the said Court issue an Injunction to them commanding them their agents and attorneys, aiders and abettors to refrain perpetually from any molestation or disturbance of the right and possession of the said Complainant under any title of the said Thomas D. Owings, and that the said Circuit Court do execute and carry into effect all provisions of the aforesaid decree of this Court. –

Pr. Mr. Justice Campbell

Israel W. Raymond owner & Claimt. of the Cargo of the Ship Orphan Consisting of 844 Tons of Coal

vs

William Tyson, Libellant.

Appeal from the Circuit Court of the United States for the Northern District of California. –

8

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the Northern District of California and was argued by Counsel - On Consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court affirming the decree of the District Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to dismiss the libel filed in this cause in the said District Court with costs. -

Jr. Ms. Jus: Wayne

Dissenting - Mr. Jus: Campbell &
Mr. Jus: Grier -

James L. Olney, Libellant & Appt 56. vs The Steamship Falcon her Tackle &c, George Law and Marshall O Roberts, Clts	Appeal from the Circuit Court of the United States for the Southern District of New York. -

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Southern District of New York and was argued by Counsel - On Consideration whereof, it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction. -

P. V. Nr. Jus: McLean.

James Udall. Libellant & Appt		Appeal from the Circuit Court of the United States for the Southern District of New York. -
57.	vs	
The Steamship Ohio her tackle & George Law & Marshall O. Roberts. Claimts -		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsil - On Consideration whereof, it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for want of jurisdiction. -

P. V. Nr. Jus: McLean -

94.	Josiah S. Stafford & wife vs The Union Bank of Louisiana.	Aplts Aplee

On consideration of the motion made by Mr Coxe of Counsel for the appellee to dismiss this appeal on a prior day of the present Term, towit. on Friday the 13th ultimo, it is now here considered by the Court that the said motion be and the same is hereby overruled. –

105.	Josiah S. Stafford & wife vs The New Orleans Canal & Banking Company –	Aplts Aplee

On consideration of the motion made by Mr Coxe of Counsel for the appellee to dismiss this appeal on a prior day of the present term, towit, on Friday the 15th ultimo, it is now here considered by the Court that the said motion be and the same is hereby overruled. –

40. Edward M. West
vs
Joseph Cochran

On Consideration of the motion made by Mr. Blair of Counsel for the Plaintiff in error on yesterday, it is now here ordered by the Court that Counsel be permitted to argue this case on each side and that five hours be allowed to each side to be allotted between them as they may deem fit.-

1. The United States Appts
vs
Daniel W. Coxe et al

On Consideration of the motion made in this case on a prior day of the present term, to wit, on Friday the 15th ultimo, by Mr Attorney General Cushing - it is now here ordered by the Court that this cause be set down for argument next after No 40, and that no points ruled by this Court in the several cases on the Maison Rouge and Bastrop grants be reargued on the argument.-

Ex parte. In the matter of Josiah S. Stafford and Jeannellee Kirkland his wife. — Appts.	On motion for a peremptory mandamus or for a rule to shew cause

vs

The Union Bank of Louisiana &c. —

The Honorable John C. Watrous District Judge of the United States for the District of Texas having filed a return to the rule granted at the last Term in this case requiring him to appear and show cause if any he had why a mandamus should not be awarded requiring and commanding him to cause the decree rendered by the the said Court on the 25th day of February A. D. 1854, in a certain cause therein then depending between the said Union Bank of Louisiana as Complainant and Josiah S. Stafford and Jeannettee Kirkland Stafford his wife as defendants, to be at once carried into execution according to the terms thereof, notwithstanding the appeal from said decree taken by the said

defendants to this Court and the order of the said Court that the appeal bond filed by the said defendants on the said appeal operated as a Supersedeas to the said decree of the said Court.-

And the cause shown appearing in the following statement returned by the said District Judge, viz: -

"The United States of America,
In the Supreme Court
December Term 1854.

Between
Josiah S. Stafford and
Jeannetta K. his wife.- appellants.
and
The Union Bank of Louisiana
appellee. -

The answer of John C. Watrous, Judge of the District Court of the United States for the District of Texas, at Galveston, to the rule upon him, to shew cause, why a peremptory, mandamus should not issue, commanding him in said Court, to discharge the Supersedeas to the enforcement of, and

to order execution upon the decree rendered in said Court, in favor of the said Union Bank of Louisiana and against said Josiah S. Stafford and wife. —

The respondent respectfully answered and certifies, to the Honorable the Supreme Court of the United States, that on the sixth day of March 1854, in the District Court of the United States, for the District of Texas at Galveston, which was within ten days next, after the rendition of the decree mentioned in the Caption to this answer the said Josiah S. Stafford and wife, feeling themselves aggrieved, by the rendition of the same, in open Court applied for, and prayed an appeal to the next term thereafter, of this Court, to be held in the City of Washington, on the first Monday in December thereafter, which to them was granted, upon condition that they entered into good and sufficient bond with good and sufficient security

in the sum of ten thousand dollars: Con-
ditioned that they prosecute their ap-
peal with effect, and answer all
damages and costs if they should fail
to make their plea good, and thereafter
and on the same day and year aforesaid
the said Josiah S. Stafford and wife,
in open Court rendered a bond with
L. C. Stanley, Patrick Perry and William
H. Clark as Sureties, in the sum of-
ten thousand dollars: and the Court
having inspected the bond and being
satisfied that it was in conformity to
law and the order of the Court and that
the Sureties were good and sufficient.
"It was ordered that the bond be approved
and it was ordered to be entered that
the bond of appeal taken and filed
in this cause operates as a Supersedeas
to the decree of the Court" and thereupon
and immediately after the order granting
said appeal and the giving the bond
as aforesaid and while the same remained
in full force, unreversed and not set
aside: this respondent respectfully sub-

mit, that neither in the said District Court or in vacation, had he any longer jurisdiction over the cause between the parties aforesaid, or any power or authority to make any order in regard to the Supersedeas or to enforce the execution of the decree aforesaid, for the reason, that thenceforward, by virtue of the appeal so taken and perfected as aforesaid, the said cause between the parties aforesaid had passed into and under the control of this court, and which was the proper forum only in which any such orders could or can be rightfully made. —

This respondent further respectfully submits that though upon investigation it should turn out, that the bond given for the appeal as aforesaid, was not taken in all respects in conformity to the requirements of law, but might be irregular and depart from such requirements, in regard to the amount of the penalty thereof, or in other respects: Yet this did not render the grant of the appeal merely

void or in any manner effect the Supersedeas operated by law: but that the said appeal and the said Supersedeas was and continued to be in full force and effect and thus will remain, until this Court in Conformity to its practice, shall dismiss said appeal and thereby discharge said Supersedeas, on account of a failure by the said Josiah S. Stafford and wife when thereto required to give such time as the Court may prescribe.

This respondent further respectfully submits, that the bond taken and approved and upon which the appeal before mentioned was granted, was taken and executed in full, complete and perfect Conformity to law: and had he power and authority either in term time or in vacation to make any order in regard to said Supersedeas, or the enforcement of the decree aforesaid by execution: and an application were made to him for such order, by reason of the said bond not being in the penalty or to the amount required by law: he

would feel himself constrained to refuse any such order. And these are the causes and reasons which this respondent has to offer why a mandamus should not issue to enforce a discharge of the Supersedeas or an execution of the decree aforesaid.—

But he respectfully submits to the judgment of the Court, and will expect by order any direction given by the Court in the premises— The respondent respectfully refers to the brief of the Counsel of the said Josiah S. Stafford and wife, which will be filed in this honorable Court and the authorities therein referred to, in support and maintenance of the position assumed by this answer.—

John C. Watrous.

and thereupon after due deliberation thereupon had, it appearing to the Court that it was the duty of the Judge in allowing the appeal, to take Security on the appeal in the sum decreed, and not having done so that the appellant was not entitled to a Supersedeas of any

process necessary to carry the decree into execution, and that the Judge was bound to issue the proper process on the application of the Complainant. It is therefore now here directed and ordered by this Court that a mandamus be awarded to the District Judge of the United States for the District of Texas requiring and Commanding the said Judge forthwith to carry the aforesaid decree of the said District Court of the 25th of February A.D. 1854 into effect.—

Js. M. Js. McLean.

Ex parte: In the matter of Josiah S. Stafford and Jeannette Kirkland his wife & vs Appt The New Orleans Canal and Banking Company.—

On motion for a peremptory mandamus or for a rule to show cause &c

The Honorable John C. Watrous District Judge of the United States for the District of Texas having failed to file any return to the rule granted

at the last term in this cause requiring him to appear and show cause if any he had why a mandamus should not be awarded requiring and commanding him to cause the decree rendered by the said Court on the 2d day of March A.D. 1854 in a certain cause therein then depending between the said New Orleans Canal and Banking Company as Complainant and Josiah S. Stafford and Jeannetta Kirkland his wife as defendants to be at once carried into execution according to the terms thereof notwithstanding the appeal from said decree taken by the said defendants to this Court and the order of the said Court that the appeal bond filed by the said defendants on the said appeal operated as a supersedeas to the said decree of the said Court and after due deliberation thereupon had, it appearing to the Court that it was the duty of the Judge in allowing the appeal, to take security on the appeal in the sum decreed, and not having done so that the appellant

was not entitled to a supersedeas of any process necessary to carry the decree into execution, and that the Judge was bound to issue the proper process on the application of the Complainant. It is therefore now here directed and ordered by this Court that a mandamus be awarded to the District Judge of the United States for the District of Texas requiring and commanding the said Judge forthwith to carry the aforesaid decree of the said District Court of the 2d of March A.D. 1854 into effect.—

Js. M. Jns: McLean.—

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38 James Williams admr. vs Robert Oliver's Exrs. Appl.

39 John Goodings admr. vs Robert Oliver's Exrs Appl.

The argument of these causes was commenced by Mr. Davis of Counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.—

1888. Thursday January 4th 1855.

Pursuant to adjournment the Court met this morning at the Capitol -

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robt C. Grier	
	Benj.n R. Curtis	
	John A. Campbell	

Jonah D. Hoover, Esq.r, Marshal
William Thomas Carroll, Clerk. -

Proclamation being made the Court is opened.

	James Williams' adm.r	The argument of these causes
38.	vs	was continued by Messrs
	Robert Oliver's Exrs	I. M. Campbell & Rowndy
	and	Johnson for the appellees
	John Gooding's adm.r	and by Mr. Delany of Counsel
39.	vs	for the appellants. -
	Robert Oliver's Exrs	

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock. -

Friday January 5th 1855. –

Pursuant to adjournment the court met this morning at the Capitol –

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benj. R. Curtis	
	John A. Campbell	

Noah D. Hoover, Esquire, Marshal –
William Thomas Carroll, Clerk. –

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. Ewing – It is ordered that Robert Balch Esquire of Pennsylvania be admitted to practice as an attorney and counsellor of this court and it was sworn accordingly. –

William & Heirs of Benj^n Peyroux de la Lande 114. vs Appellees The Treasurer of the State of Louisiana	On the motion of Mr Dunbar stating the absence of Mr Janin the Counsel of the plaintiff in error. It is now here ordered by the court that the motion filed by Mr Dunbar on the 29th ultimo be set down for argument on next Friday the 12th instant. —
James Williams' adm^r 38. vs appt Robert Oliver's Exrs and John Gooding's adm^r 39. vs appt Robert Oliver's Exrs	The argument of this cause was concluded by Mr Eulaney of Counsel for the appellants.
Alfred Savignac — 103. vs Pltff in Er Abraham Garrison	The motion made by Mr Baxter of Counsel for the plaintiff in error on a prior day of the present term, to put on Tuesday the 3d ultimo was argued by him in

support thereof and by Mr Ewing against the same. —

The State of Florida 3. vs Compt The State of Georgia	Mr Attorney General Cushing proceeded to argue in support of the motion to intervene in behalf of the United States. —

Proclamation being made the Court is adjourned until Monday morning at eleven O'clock. —

1892. Monday January 8th 1838.

Pursuant to adjournment the Court met this morning at the Capitol.—

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjn R. Curtis	
	John A. Campbell	

Jonah D. Hoover Esquire Marshal
William Thomas Carroll, Clerk.—

Proclamation being made the Court is opened.

The State of Florida—	The argument of
3. vs Compt.	the motion of Mr
The State of Georgia	Attorney Genl Cushing
	to intervene was con-

tinued by Mr Badger of Counsel for the respondent and by Mr Westcott of Counsel for the Complainant in opposition thereto.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.—

Pursuant to adjournment the Court met this morning at the Capitol -

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	Benjn R. Curtis	
	John A. Campbell	

Jonah D. Hoover Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court opened.

On motion first made to the Court in this behalf by Mr. Attorney General Cushing - it is ordered that Warren Fillow Esquire be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly -

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1894. Tuesday January 9th 1855. Continued

19.	Alexander M. Laurence Val; Claimt of the Ship Fremt. vs Charles Minturn -	Appeal from the Dist Court of the United States for the Northern District of California. -

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by Counsel. On Consideration Whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said District Court with directions to that Court to dismiss the Libel, with costs. -

Jr. M. Jus. Curtis. -

15.	The United States. Appts vs Sixty Seven Packages of Dry goods. Jules Devois Claimt &c	In error to the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel - On Consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court. -

Mr. Mr. Thos. Nelson Dissenting -

Mr. Thos. Campbell. -

1896. Tuesday January 9th 1855. Continued.

The United States. —	In error to the
18. v.	Circuit Court of
Fifty Nine Cases Silk hats.	the United States
Paul Trieon, Claimt.	for the Eastern
	District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel. On Consideration whereof, it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court. —

Per Mr Justice Nelson

Dissenting

Mr Justice Campbell. —

17.	The United States Appt vs One Package of Merchandize, Lein Pintard & Co Claimts	In error to the Circuit Court of the United States for the Eastern Dist: of Louisiana.-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel - On Consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court. -

Mr. Justice Nelson Dissenting -

Mr. Justice Campbell. -

The United States. -	In error to the
18.	Circuit Court of
vs	the United States
One Case of Clocks,	for the Eastern
Lion, Pinard & Co Claimts	Dist: of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel - On Consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this court. -

P: M: Js: Nelson

Dissenting

M: Js: Campbell. -

25.	Adam L. Stewart — Pltff in Er vs The United States.	In error to the Circuit Court of the United States for the District of Columbia holden in & for the County of Washn.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by Counsel - On Consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed. -

Pr. Mr. Justice Daniel. -

103.	Alfred Savinac vs Pltff in Er Abraham Garrison.	On Consideration of the motions made in this cause by Mr Baxter on a prior day of the present Term of this court, to wit, on Friday the 5th instant and of the arguments of counsel thereupon had as well against as in support

thereof. It is now here ordered by the Court that the said motions be and the same are hereby overruled. —

The State of Florida 3. vs Compt The State of Georgia	The argument of the motion of Mr Attorney General Cushing to intervene, was continued by Mr Berrien of Counsel for the respondent in opposition thereto, and concluded by Mr Attorney General Cushing in support thereof. —

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Pursuant to adjournment the Court met this morning at the Capitol. —

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benj.n R. Curtis	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal —
William Thomas Carroll, Clerk. —

Proclamation being made the Court is opened.

40. Edward M. West — vs — Joseph Corcoran — Pltff in Er. — The argument of this cause was commenced by Mr Ewing of Counsel for the Plaintiff in error and continued by Mr Hill for the defendant in error. —

Proclamation being made the Court is adjourned until tomorrow morning at

1902. Thursday January 11th 1855.-

Pursuant to adjournment the Court met this morning at the Capitol -

Present

The Honorable	Roger B. Taney.	Chief Justice
	John McLean	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benj.n R. Curtis	
	John A. Campbell	

Jonah D. Hoover Esquire. Marshal
William Thomas Carroll, Clerk. -

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Bennett, it is ordered that D. Ira Baker and H. C. Goodwin Esquires of New York be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly. -

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On motion first made to the Court in this behalf by Mr Gillet it is ordered that John I. Taylor Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly. –

40. Edward M. West – Plaintiff in Error
vs
Joseph Cochran – Defendant in Error

The argument of this cause was continued by Mr Hill of Counsel for the defendant in error and by Mr Blair for the Plaintiff in error. –

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock. –

1904. Friday January 12th 1855.

Pursuant to adjournment the court met this morning at the Capitol. —

Present

The Honorable	John McLean	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj.n R. Curtis	
	John A. Campbell	

Jonah D. Hoover Esquire Marshal
William Thomas Carroll, Clerk. —

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr Attorney General Cushing it is ordered that Wm. W. Niles Esquire of New York be admitted to practice as an Attorney and Counsellor of this court and he was sworn accordingly. —

Edward M. West —	The argument of
40. vs Error to	this Cause was
Joseph Cochran	Continued by Mr.
	Cushing of Counsel

for the defendant in error concluded by Mr. Guyon for the plaintiff in error. —

Proclamation being made the Court is adjourned until Monday Morning at eleven oclock. —

 Monday January 15th 1855.

Pursuant to adjournment the Court met this morning at the Capitol. —

Present

The Honorable	John McLean	Associate Justices.
	John Catron	
	Peter V. Daniel	
	Samuel Nelson	
	Robert C. Grier	
	Benjn R. Curtiss	
	John A. Campbell	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

20. James Haynes. Jeffs in Er
vs
The Yates County Bank.

On motion of Mr. Gillet of counsel for the defendant in error - it is now here ordered by the Court that leave be and the same is hereby granted to the Clerk to issue a mandate in this case during the present term of the Court. —

21.	James Haynes. Jaffin & Co vs James L. Andrews & al	On motion of Mr. Gillet of Counsel for the defendant in error. it is now here ordered by the Court that leave be and the same is hereby granted the Clerk to issue a mandate in this case during the present term of the Court. –

41.	Lewis E. Boone, adm of Jesse B. Thomas. Appt vs The Missouri Iron Comp & al	Mr Ewing having suggested the death of Mr Garland the Counsel for the Plaintiff in error since the last continuance of this cause – It is therefore now here ordered by the Court that this cause be and the same is hereby post-poned. –

42.	Peter I. Burchell vs appt Stewart C. Marshall	The argument of this cause was commenced by Mr. Gillet of Counsel for the appellant and continued by Mr Washburne for the appellees. –

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'clock. –

1908. Tuesday January 16th 1855.

Pursuant to adjournment the Court met this morning at the Capitol -

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices.
	Robert C. Grier	
	Benjn. R. Curtis	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk. -

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. B. Washburne, it is ordered that Henry H. Morange Esquire, of New York be admitted to practice as an attorney and Counsellor of this Court and was sworn accordingly. -

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The Propeller Monticello, John Wilson, Claimt 23. vs Appt Gilbert Mellison.	Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the same of the said Circuit Court in this cause be and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York. —

Per Mr. Jus: Grier.

Dissenting.

Mr. Jus: Daniel. —

The City of Providence..		In error to the Circuit
33.	vs	Court of the United
Daniel R. Clapp.	Jeff in Er	States for the District
		of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by counsel. on consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interests until paid at the same rate per annum that similar judgments bear in the courts of the State of Rhode Island.

Per Mr Justice Nelson.

Dissenting. Mr Justice Daniel

The President Directors and		In error to the Cir-
Company of the Bank of		cuit Court of the
Tennessee. —	Jeff in Er	United States for the
34.	vs	Eastern District of
Lewis B. Horne		Louisiana. —

This cause came on to be

heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel on consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

Per Mr Chf Justice Taney

Dissenting

Mr Justice Daniel.

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28. William B and Victoire Sheilds et al — Apts
vs
Robert R. Barrow

On motion of Mr Benjamin of counsel for the appellants, it is now here ordered by this Court that the decree entered in this cause on a prior day of the present term, to wit. on Thursday the 21st ultimo. be and the same is hereby rescinded and annulled and that leave be and the same is hereby granted to the counsel to submit this cause on printed arguments. —

42. Peter I. Burchell ... Appt
vs
Stewart C. Marsh et al.

The argument of this cause was continued by Mr Carlisle of counsel for the appellees and concluded by Mr Gillet for the appellant.

43 Morgan B. Hinkle &c Appt
vs
Moses Wanzer et al

The argument of this cause was commenced by Mr Phillips of counsel for the appellant. (Mr Justice Campbell having been of counsel did not sit in this cause.)

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'Clock.

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	~~James McKayne~~	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjamin R Curtis	

Jonah D. Hoover. Esquire, Marshal.

William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

43. Morgan B. Hinkle &c vs. Appt Moses Wanzer et al.

The argument of this cause was continued by Mr Phillips of counsel for the appellant and by Messrs Reverdy Johnson Jr & Reverdy Johnson Sr for the Appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'Clock.

Thursday January 18: 1855.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice.
	John McLean	Associate Justices.
	James M. Wayne	
	John Catron	
	Peter V. Daniel	
	Samuel Nelson	
	Robert C. Grier	
	Benjn R. Curtis	
	John A. Campbell	

Jonah D. Hoover. Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr W. B Washburne. it is ordered that William C. Cooper. Esquire. of Milwaukee. State of Wisconsin. be admitted to practice as an attorney and counsellor of this court. and he was sworn accordingly.

32	Ferdinand Clark. Appt vs Benjamin C. Clark & William H. Y Hackett.	Appeal from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the county of Washington and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

Per Mr Justice Catron.

31	William Fontain Appt. vs. William Ravenal	Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the eastern district of Pennsylvania and was argued by counsel. on consideration whereof

it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice McLean.

The United States. vs) Appls Daniel W. Coxe & al	Appeal from the District Court of the United States for the eastern district of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the eastern district of Louisiana and it appearing to the Court that this case cannot be distinguished from the case of the United States vs Coxe et al 7 Howard, 833, and of the United States vs Turners heirs, 11 Howard 663, it is thereupon now here ordered, adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby reversed and annulled, and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the petition. Per Mr Chief Justice Taney.

47 The City of Boston - Plff in Er
vs
David R Leeraw

Mr Ames of counsel for the plaintiff in error moved the court for an extension of the time for the argument of this cause pursuant to the 53d rule of Court. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

43. Morgan R Hinkle &c
vs Appt
Moses Wanzer

The argument of this cause was concluded by Mr Phillips of counsel for the appellant.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Friday January 19th 1855.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice.
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj R Curtis	
	John A. Campbell	

Jonah D. Hoover, Esquire. Marshal
William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Chase it is ordered that Edward Little Pierce, Esquire, of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The widow and heirs of Benjamin Poydras de la Lande vs Jeff in Er 114 The Treasurer of Louisiana	The motion filed by Mr Dunbar for leave to withdraw his appearance and to dismiss this writ of error was argued by him in support thereof and by Mr Lamm in opposition thereto. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The City of Boston vs Jeff in Er 47 David R Lecraw	On consideration of the motion made in this cause by Mr Ames yesterday it is now here ordered by this court that the said motion be and the same is hereby overruled.

John L. Shields. Appt vs. 135 Isaac Thomas et al.	The motion filed by Mr Smith to dismiss this appeal was argued by him in support thereof and by Mr Gillet in opposition thereto Whereupon this court not being now here sufficiently advised of and concerning what order

to render in the premises look time to consider.

Joshua F. Speed Exr of James D. and Robert Breckenridge. decd et al. vs Appts 141 Robert Wickliffe. Admr of Henry Crone. deceased.	Mr. Preston of counsel for the appellee having filed and read in open Court the following certificate. to wit

"The United States of America
8th Circuit and Kentucky District } Ss.
May Term. 1854.
August 8. 1854.

Robert Wickliffe. Admr of
Henry Crone, deceased.

Complainant.

against In Equity

Joshua F Speed Exr of James D. and Robert Breckenridge. William L. Caldwell. and Eliza his wife late Eliza Breckenridge devisee of James D. and Robert Breckenridge Margaret Drake formerly Breckenridge. and Newton Calvert Breckenridge. heirs of Henry and devisees of Robert Breckenridge

Defendants.

Copy order granting appeal from decree.

On the motion of the defendant Joshua F Speed. executor of James D and Robert Breckenridge and William L Caldwell and Eliza Caldwell his wife. Margaret Drake formerly Breckenridge and Newton Calvert Breckenridge by James Harlan. Esqure their counsel an appeal is granted them from the above decree to the Supreme Court of the United States of America on the condition of their executing the appeal bond with James Speed. Esquire. of Louisville as the surety. before the Clerk of this court in his office. within twenty days from this date.

Appeal Bond.

United States of America
Circuit Court District of Kentucky

Know all men by these presents. That we Joshua F Speed. William L Caldwell and Eliza Caldwell Margaret Drake and Newton Calvert Breckenridge the principals. and James Speed of Louisville the surety. are held and firmly bound unto Robert Wickliffe as Administrator of Henry Crone. deceased. in the sum of ten thousand dollars

to the payment whereof well and truly to be made we jointly and severally bind ourselves and the heirs executors and administrators of each of us jointly and severally firmly by these presents sealed with our seals and dated this 24th day of August 1854.

This obligation is however subject to this condition. Whereas in the Circuit Court of the United States for the Kentucky District at its present May term on the 8th day of August a decree was rendered by the Court in favor of the said Robert Wickliffe as administrator of Henry Crone, deceased against the above bound Joshua F Speed, William S Caldwell and Eliza Caldwell, Margaret Drake and Newton Calvert Breckenridge for the sum of five thousand three hundred and two dollars with interest from that date until paid and also the costs of the complainant in the prosecution of this suit expended to be levied as by the decree will more fully appear. And the said Speed William S Caldwell and Eliza his wife and the said Drake and Breckenridge have prayed and been allowed an appeal from the said decree

to the Supreme Court of the United States. Now if the said Speed. Caldwell. Drake, and Breckenridge shall prosecute their said appeal to effect and obtain the reversal thereof or on failure thereof they shall pay to the said Wickliffe as administrator of the said Crone the said sum of five thousand three hundred and two dollars ($5.302.) with the interest and costs above decreed, and also damages costs and interest which shall be adjudged him against them or which he shall suffer and and be entitled to recover of them the appellants. then this obligation to be void else remain in full force.

Joshua F. Speed (seal)

(seal)

(seal)

James Speed. (seal)

Clerk's Office of the Circuit Court of U. States
District of Kentucky. to wit.

The above bond was this day acknowledged before the undersigned by Joshua F. Speed one of the principals and James Speed the surety and the form thereof

having been approved it is accepted in fulfil-
-ment of the condition whereon the appeal
was granted and filed according. August 24. 1854.
Thos B. Monroe. J. U.S. Dist. K.

United States of America
8th Circuit & Kentucky District } ss

I. John A. Monroe. Clerk of
the Circuit Court of the United States for the
Circuit and District aforesaid certify the foregoing
three pages to be true copies of the order granting
the appeal, of the appeal bond and acknowledg-
-ment and approval thereof, in the case wherein
Robert Wickliffe as administrator of Henry
Crone, deceased, was complainant and Joshua
F. Speed, executor of James D and Robert
Breckenridge and others were defendants.

In Testimony whereof I have
hereunto subscribed my name
and affixed the seal of
said Court this 27th day of
December A.D. 1854.

Seal

John A. Monroe."
and having stated that the appellants had
altogether failed to file the record of said

cause in this court or in any way to prosecute said appeal (although a transcript of the record had been lodged with the clerk which had not been filed for the want of security pursuant to the rules of this court) now here moved the court in pursuance of the 63d rule of this court to have this appeal docketed and dismissed. On consideration whereof. it is now here ordered, adjudged and decreed by this court that the appeal from the Circuit Court of the United States for the District of Kentucky be and the same is hereby docketed and dismissed with costs. and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

Per Mr Chief Justice Taney.

45.	The United States at relation of Aaron Goodrich -- Aff in Er vs James Guthrie. Secretary of the Treasury.	The argument of this cause was commenced by Mr Lawrence of Counsel for the plaintiff in error and continued by Mr Attorney General Cushing for the defendant in error.

Proclamation being made the court is adjourned until Monday morning at eleven o'clock